



CITY OF ATLANTA

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MAYOR

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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 10, 2014

Agenda Item: Application for Type II Certificate of Appropriateness (CA2-14-366) for site work at **1463 Fairview Road**– Property is zoned Druid Hills Historic District.

Applicant: Melissa Egan
1463 Fairview Road

Facts: According to the architectural survey in 2002, this dwelling built in 1915 is contributing.

In 2008, the Commission approved an application for a Type II Certificate of Appropriateness (LD-08-088) to allow the construction of a new deck and other renovations and an application for a Type II Certificate of Appropriateness (LD-08-169) to allow the construction of a wooden fence with a wrought iron gate. Both applications were approved with conditions.

Analysis: The following code sections apply to this application:
Per Section 16-20.007 of the Atlanta Land Development Code:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark buildings and sites;

(b) To change the exterior appearance of any structure within any Landmark District;

Per Section 16-20B.003 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale/Oakdale/Lullwater.. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

- (5) *Minimum architectural controls:* Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners

formulate plans for the development and continued use of historic properties. Separate guidelines are given for each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995, Standards for Rehabilitation

REHABILITATION IS DEFINED AS the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

The Commission reviews alterations to any structure within the district, whether or not said alterations can be seen from the public right-of-way

The Applicant is proposing to remove the existing brick walkway, landing, concrete retaining walls and portion of the driveway. In looking at the pictures submitted, the brick walkway, landing, retaining walls and stairs do not appear to be in disrepair. Staff recommends the Applicant clarify why the existing brick walkway, landing, stairs and retaining wall require removal. Staff recommends any original or historic materials be retained. If replacement of original or historic materials is warranted, Staff recommends all replacements be done in-kind.

The Applicant is proposing to create a walkway that leads from the front entry to the sidewalk. Staff has no general concerns regarding a walkway that leads to the sidewalk. Given Staff's concerns regarding the removal of the existing walkway, Staff recommends the existing brick walkway is extended to the sidewalk. The Applicant is proposing to add stepping stones on the front and the rear of the home. Staff has no concerns regarding the proposed rear stepping stones. Staff finds the stepping stone on the front façade create too much paving. Staff recommends the stepping stones on the front façade be removed.

The Applicant is proposing to install a modular block wall at the northeast corner of the house. Staff finds that modular walls are not appropriate for this district. Staff recommends any proposed retaining wall have materials that are consistent and compatible with existing retaining walls on the property.

The Applicant is proposing to remove three trees in the public right-of-way. As the trees in question are not located on a parcel, the landscape requirements of the Druid Hills Landmark District do not apply. Staff suggests the Applicant contact the City of Atlanta or Parks arborist to determine what may be required for removal and replacement of the existing trees.

Staff Recommendation: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of the Application for Type II Certificate of (CA2-14-366) for site work at **1463 Fairview Road**– Property is zoned Druid Hills Historic District, with the following conditions:

1. The Applicant shall clarify why the existing brick walkway, landing, stairs and retaining wall require removal, per Section 16-20B.003(5);
2. Any original or historic materials shall be retained, per Section per Section 16-20B.003(5);
2. If replacement of original or historic materials is warranted, all replacements shall be done in-kind, per Section 16-20B.003(5);
3. The existing brick walkway shall extended to the sidewalk, per Section 16-20B.003(5);
4. The stepping stones on the front façade shall be removed, per Section 16-20B.003(5);
5. The proposed retaining wall shall have materials that are consistent and compatible with existing retaining walls on the property, per Section 16-20B.003(5); and
6. Staff shall review and if appropriate, approve the final plans.



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Director, Office of Planning

STAFF REPORT December 10, 2014

Agenda Item: Application for Type II Certificate of Appropriateness (CA2-14-368) for site work at 832 Springdale Road– Property is zoned Druid Hills Historic District.

Applicant: Robert Castellano
832 Springdale Road

Facts: According to the architectural survey in 2002, this dwelling built in 1917 is contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code:

- (a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
 - (3) Landmark buildings and sites:
 - (b) To change the exterior appearance of any structure within any Landmark District;

Per Section 16-20B.003 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale/Oakdale/Lullwater.. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

- (5) *Minimum architectural controls:* Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995, Standards for Rehabilitation

REHABILITATION IS DEFINED AS the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

The Commission reviews alterations to any structure within the district, whether or not said alterations can be seen from the public right-of-way

The Applicant is proposing to remove an existing concrete driveway and replace it with a new concrete driveway on the same footprint. In looking at pictures submitted by the Applicant, the existing driveway has severe deterioration and damage at several places in the driveway. Staff finds that spot repair of the driveway would not be feasible and in the end would lead to a mostly new driveway. Staff finds that replacement of the driveway in-kind is warranted and appropriate. Staff has no concerns regarding the proposed project.

Staff Recommendation: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of the Application for Type II Certificate of (CA2-14-368) for site work at **832 Springdale Road**– Property is zoned Druid Hills Historic District.



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STAFF REPORT **December 10, 2014**

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-369) for an addition and site work at **248 Oakland Avenue (aka 438 Memorial Drive (Oakland Cemetery))** – Property is zoned Oakland Cemetery Landmark District.

Applicant: Sara Henderson
248 Oakland Avenue

Facts: The proposal includes the installation of a greenhouse (relocated from the Atlanta History Center) within the remaining greenhouse walls, stabilization of the remains of the existing greenhouse walls and other related features, and the removal of existing damaged hexagonal pavers and the installation of replacement pavers along Old Fair Street Drive and Old Hunter Street Drive in the south and southeast portions of the cemetery.

Analysis: The following code sections apply to this application:

Sec. 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.

- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Sec. 16-20E.002. General regulations.

The following regulations shall apply to the entire Landmark District. All rehabilitation, restoration or new construction shall require a certificate of appropriateness from the Atlanta Urban Design Commission (AUDC). All proposed development shall conform to the following regulations:

1. Regulations shall be minimum standards which must be followed and shall be applied by the AUDC (section 16-20.008).
2. The AUDC shall further adopt and maintain guidelines that shall extend the intent of these regulations, further define elements of architectural landscape design and ensure the compatibility of future development and restoration within this Landmark District.
3. The power to hear, grant or deny variances from these regulations shall rest with the AUDC.
4. *Procedure for variance:* Upon a determination of the AUDC that an application for renovation or new construction is in conflict with the intent of these regulations and/or the guidelines, the AUDC shall institute procedures for public notification and public hearing as are specified similarly for the board of zoning adjustment (section 16-26.001). Notification shall include any government or nonprofit institution which has legitimate interest in the historic integrity of this Landmark District.
5. *Secretary's guidelines:* In addition to specific standards listed herein, the Secretary of the Interior's Standards for Historic Preservation Projects Part I shall be a part of these regulations and shall be applied by the AUDC.
6. Landscaping criteria:
 - a. A certificate of appropriateness shall be required for any alteration to existing walks, walls or drives and the removal of trees or shrubs other than "volunteers" which endanger the movements, mausoleums, walls, paths and steps, or hamper pedestrian and vehicular circulation.
 - b. Repairs to walks, walls and drives shall be done with matching materials, style and technique. The final result shall be of a quality equal to the original work and contiguous with adjacent masonry.
 - c. Construction materials within the cemetery shall be limited to granite, marble, limestone, sandstone, molded concrete and brick.
 - d. The use of gravel, marble chips and granite dust on grave surfaces is prohibited.
 - e. A certificate of appropriateness shall be required for any alteration to the existing tree or shrub planting within Oakland Cemetery.
 - f. The park-like character of Oakland Cemetery shall be maintained by the planting of high branching native hardwood trees, sufficiently spaced apart to maintain a light shade which is conducive to the growth of grass. Tree and shrub species selected for new planting shall be consistent with existing species within Oakland Cemetery. Evergreen species shall be planted selectively to create contrast and interest. Hybrid and exotic trees and shrub species shall be prohibited.
7. Buildings, mausoleums and monuments:
 - a. Existing buildings in Oakland Cemetery consists of a watchhouse, the tower building, maintenance barns and public toilets. A certificate of appropriateness shall be required for the demolition or repair of any existing building.
 - b. Repair of existing buildings shall be done with matching materials, style and technique. The final result shall be of a quality equal to the original work and contiguous with adjacent masonry.
 - c. No additional buildings shall be allowed.
 - d. All buildings in the Landmark District shall be subject to the provisions for demolition or removal of existing structures as specified in section 16-20.007(3) of this part.
 - e. The Preservation Briefs #1 prepared by the Technical Preservation Services Division of the Office of Archeology and Historic Preservation and Recreation Service will be adhered to for the cleaning of all buildings and monuments and mausoleums.

8. It shall be mandatory for all parks and recreation personnel charged with the maintenance and upkeep of Oakland Cemetery to be made aware of the intent and specific content of these regulations. A copy of these regulations shall be maintained on the site with the supervisory staff responsible for the maintenance of Oakland Cemetery.

City personnel anticipating any activity to change the physical appearance or functional character of the landscape, drives, walks, walls, monuments, mausoleums, planting or buildings of Oakland Cemetery shall initiate such activity only upon approval of the AUDC as specified in this part.

Installation of a greenhouse (relocated from the Atlanta History Center) within the remaining greenhouse walls.

Generally speaking the Staff finds the installation of a pre-fabricated and relocated greenhouse within the existing greenhouse walls meets the District regulations for several reasons. First, the relocated greenhouse will be easily identifiable as a contemporary structure. Second, lacking good photographic or archival evidence of the appearance of the previous greenhouse, trying to make the new greenhouse look "old" would create a false sense of history and physical development of the site. Third, the relocated greenhouse can be installed without removing significant amounts of historic fabric, including the remaining walls and some of the ground covering / paving. Fourth, the relocated greenhouse, while taller than the previous greenhouse (based on the remaining east gable wall and west wall ghost marks), will not overshadow or significantly obscure the buildings on either end of the greenhouse complex. Finally, if the greenhouse were removed in the future, the site could be returned to its current condition with little evidence of the contemporary greenhouse having been there.

However, the Staff would recommend a couple of additional actions for this component of the project. The Staff would recommend that a photographic and archival record showing the conditions of the greenhouse site before and after the construction work be kept on site in the cemetery's permanent records for future use by researchers and cemetery rehabilitation and maintenance staff. The Staff would also recommend that the proposed interpretive signage include at least information about the historic and/or original greenhouse, the process involved in the relocation and installation of the proposed greenhouse and the role that the greenhouse plays in the cemetery

Stabilization of the remains of the existing greenhouse walls and other related features.

Generally speaking, the Staff finds that the stabilization of the existing greenhouse walls and related features meets the District regulations for several reasons. First, the stabilization work will be done in accordance with the *Secretary of the Interior Standards*. Second, new or reclaimed material will not be added to the wall to make it look complete and as such will not create a false sense of history nor potentially mix different eras of materials. Third, by not including the existing walls and related features in the construction of the relocated greenhouse (which will have a plain, stucco foundation inside the remaining brick walls), these historic features will retain their significant and visual presence on the site.

However, the Staff is somewhat concerned about the stabilization of the east gable wall of the former greenhouse. The submission described steel being "applied to the inside face of the wall and anchored to the ground." No other information was provided about this stabilization technique. The Staff is concerned about the size and arrangement of the steel members and the method of attachment to the wall. For example, the steel should be arranged to not protrude beyond the edge of the existing wall, not cross the existing door opening and be anchored through the mortar joints. The Staff would recommend that more information and documentation be provided about the stabilization of the east wall of the former greenhouse and that the stabilization technique meet the District regulations.

Removal of existing damaged hexagonal pavers and installation of replacement hexagonal pavers along Old Fair Street Drive and Old Hunter Street Drive.

Given the similar design, material, and texture of the new pavers, the Staff is not concerned about their use in the cemetery. Further, the Applicant has provided some documentation of the deterioration, damaged or missing condition of the existing pavers. Generally speaking, the Staff finds the paver component of the project meets the District regulations.

However, the Staff would recommend a couple of additional actions for this component of the project. The Staff would recommend the Applicant provide additional, overall photographic documentation of the condition of the existing pavers. The Staff would also recommend that any salvageable pavers be reused in a large group vs. being scattered amongst the new pavers. The Staff would lastly recommend that all existing brick gutters and other non-paver features be retained in their current location.

Staff Recommendation: Based upon the following:

1) Except as noted above, the proposed work meets the District regulations, per Section 16-20.009 and 16-20E.

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-14-369) for an addition and site work at **248 Oakland Avenue (aka 438 Memorial Drive (Oakland Cemetery))** – Property is zoned Oakland Cemetery Landmark District, with the following condition:

1. A photographic and archival record showing the conditions of the greenhouse site before and after the construction work shall be kept on site in the cemetery's permanent records for future use by researchers and cemetery rehabilitation and maintenance staff, per Section 16-20.009(3);
2. The proposed interpretive signage shall include at least information about the historic and/or original greenhouse, the process involved in the relocation and installation of the proposed greenhouse and the role that the greenhouse plays in the cemetery, per Section 16-20.009(3);
3. More information and documentation shall be provided about the stabilization of the east wall of the former greenhouse and that the stabilization technique shall meet the District regulations, per Section 16-20.009(1)-(7);
4. The Applicant shall provide additional, overall photographic documentation of the condition of the existing pavers, per Section 16-20.009(3) and (5);
5. Any salvageable pavers shall be reused in a large group vs. being scattered amongst the new pavers, per Section 16-20.009(3) and (5);
6. All existing brick gutters and other non-paver features shall be retained in their current location, per Section 16-20.009(1)-(7); and
7. The Staff shall review, and if appropriate approve, the final plans, documentation, and specifications.



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STAFF REPORT
December 10, 2014

Agenda Item: Application for Type II Certificates of Appropriateness (CA2-14-371) for alterations at **130 Walker Street** - Property is zoned Castleberry Hill Landmark District (Subarea 1).

Applicant: Ryan Seger
130 Walker Street, Suite 3

Facts: Castleberry Hill, located in the southwest Central Business District, is an area that is significant primarily for its important collection of modest, late 19th and early 20th century commercial, warehouse, and industrial buildings. These buildings range in size from small, one- and two-story retail store fronts to large, single-tenant factories and warehouses. Since the 1980s, many of these buildings have been rehabilitated and converted to loft apartments and condominiums, studios, retail and restaurants, and art galleries.

The two-story commercial structure at 130 Walker Street was built in c. 1919 by G. H. Butler and is considered a contributing building to the District. The two-story building is flanked on the right side with a two-story building that is attached to the subject building. As such, there is no side elevation on the right. To the left side of the building is a vacant lot. As such, there is an exposed left elevation. The open space at the rear of the building is relatively flat, is one level lower than the front sidewalk, and consists of various forms of paving and dirt. The rear elevation is located along the former railroad right-of-way that bisects the block between Peters and Walker Street.

The front façade of the existing building consists of the original yellow/blonde brick, with a contemporary garage door, what could be replacement windows, front entry way, and the original clay-tile covered “mansard roof”. On the rear elevation, the window and door openings have various states of possibly original, historic, and/or replacement elements. However, it appears that the opening sizes and locations are original.

Unrelated to this application, the Staff has previously been to the property and has some information about the architectural elements and components in the front portion of the building. Also, in 2007 a similar renovation was approved with conditions by the Commission, but it doesn't appear that that renovation was undertaken given the existing condition photographs provided with the current application.

The proposed project consists of the following activities:

1. Repair and repaint the existing wood trim related to the mansard roof;
2. Replace in-kind the broken mansard roof tiles;
3. Clean the existing brick, stone, and terra cotta using "gentlest means possible";
4. Replace the existing upper level windows with new wood, double-hung, six-over-one windows;
5. Replace the existing storefront with a three-part storefront;
6. Replace the contemporary roll-up garage door with a new roll-up garage door;
7. Reset the concrete curb to extend the width of the storefront;
8. Install a canvas awning over the storefront;
9. Add logo sign and address to front door; and
10. Add brackets to garage door opening.

Analysis: The following code sections apply to this application:

Per Section 16-20N.005. Certificates of appropriateness.

3. Type II certificates of appropriateness shall be required for: minor alterations to the façade of any principal structure, including but not limited to: exterior stairs, landings, railings, awnings, canopies, and front stoops; and the construction of fences, walls, retaining walls, accessory structures, and paving.

Per Section 16-20N.006. General Regulations.

The following general regulations shall apply to all properties located within the District.

1. In the District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20N do not specifically address the application or any portion of the application:
 - (a) The historic character of a property shall be retained and preserved.
 - (b) The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historic development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
 - (k) Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20L.007 or section 16-20L.008, as applicable.
2. Compatibility rule.
 - (a) To permit flexibility, some regulations are made subject to the compatibility rule, which states: "Where not quantifiable, the element in question (roof form, architectural trim, fenestration, etc.) shall match that which predominates on the contributing buildings on that block face. Where quantifiable, the element in question

- (i.e., building height and width, floor height, etc.), shall be no smaller than the smallest or larger than the largest such dimensions of the contributing buildings on that block face.
- (d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
8. Off-street and off-site parking.
- All new construction, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential uses, or any change in use shall include the required off-street parking.
 - The number of required off-street parking spaces is set out in each subarea.
 - Curb cuts and driveways are not permitted on any arterial street when reasonable access may be provided from a side or rear street or from an alley.
 - One curb cut is permitted for each development. Developments with more than one public street frontage or more than 300 feet of public street frontage may have two curb cuts.
 - Sidewalk paving materials shall be continued across intervening driveways.
 - Entrances to garages that serve residential units shall be located in a side or rear yard.
9. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:
- All street-fronting sidewalk level development shall provide fenestration for a minimum of 60 percent of the length of the frontage, beginning at a point not more than three (3) feet above the public sidewalk, for a height no less than nine (9) feet above the sidewalk.
 - Sidewalk level development without fenestration shall not exceed a maximum length of ten (10) feet of façade.
 - Relationship of building to street.
 - The first eight (8) feet of all building levels that have sidewalk level arterial street frontage shall have a commercial, office, or residential use and shall not be used for parking or storage.
 - The primary pedestrian entrance to all uses and business establishments with sidewalk level street frontage shall:
 - Be visible from the street.
 - Be directly accessible, visible, and adjacent to the sidewalk, pedestrian plaza, courtyard, or outdoor dining area adjacent to such street.
 - Face and be visible to an arterial street when located adjacent to such arterial streets.
 - A street address number shall be located above the principal building entrance, shall be clearly visible from the sidewalk, shall contrast with their background, and shall be a minimum of four inches in height with a minimum stroke of 0.5 inch.
 - Façade Materials. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the façades of the principle structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Aluminum siding and vinyl siding are not permitted on any facade.
 - Awnings and canopies.
 - Awnings and canopies must have a minimum clearance of eight feet above the sidewalk level, and shall not encroach more than five feet over the public sidewalk.
 - Installation of new canopies, where none previously existed, shall be permitted only if they are compatible with the original structure.
 - New awning frames attached to storefronts, doors or windows shall replicate the shape of the covered area and fit within that area.
 - New awnings shall be attached to the area above the display and transom windows and below the cornice and signboard area, or attached to the storefront display window and the transom window.
 - Only that portion of the awning used for signage shall be illuminated.
17. Signage. The provisions of the Atlanta Sign Ordinance apply to this district.

Section 16-20N.007 - Specific Regulations for Historic Core, Subarea 1.

In the Castleberry Hill Historic Core, Subarea 1, the commission shall apply the standards referenced in section 16-20N.006(1) only if the standards set forth in section 16-20N.007 do not specifically address the application or any portion thereof:

- Design standards and other criteria for construction of, additions to, or alterations of principal buildings:
 - The compatibility rule shall apply to the general façade organization, proportion, scale, and roof form of the principal structure.

- (c) All building elements shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements, including but not limited to their: design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
- (d) Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - a. The style and material of the individual window or door.
 - b. The size and shape of individual window and door openings.
 - c. The overall pattern of fenestration as it relates to the building façade.
 - d. The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
- (e) Facades.
 - i. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the façades of the principal structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any facade.
 - ii. Covering of the original façade shall not be permitted.
 - iii. Painting of unpainted stone, terra cotta, and brick is prohibited.
 - iv. All cleaning of stone, terra cotta, and brick shall be done with low-pressure water and mild detergents.
 - v. All repairs to original mortar shall be compatible with the existing mortar material in strength, composition, color and texture. Original mortar joints shall be duplicated in width and in joint profile.
- (g) Loading areas, loading dock entrances, and building mechanical and accessory features.
 - i. Commercial dumpsters shall not be visible from any public street. Residential dumpsters shall not be visible from: Walker Street, Nelson Street, or Peters Street. Notwithstanding the visibility requirements noted above, all dumpsters shall be concealed with walls six (6) feet in height and constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco.
 - ii. Loading docks and loading areas shall not be permitted on the primary façade of a principal building.
 - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
 - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible from any public street.
 - v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
- (h) Excluding the flare at the street, driveways shall not exceed ten feet in width for one-way drives or 20 feet in width for two-way drives. Loose stone or gravel is not permitted as a paving material.
- (i) Sidewalk regulations.
 - i. Hexagonal sidewalk pavers shall be retained.
 - ii. Hexagonal sidewalk pavers or hexagonally stamped concrete shall be used for any new sidewalks or replacement sidewalks on the public streets.
 - iii. Any new or replacement curbing shall be granite.
 - iv. New sidewalks shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be a minimum of seven feet wide and a maximum of 15 feet wide.
- 2. Permitted principal uses and structures: A building or premises shall be used only for the following principle purposes:
 - (a) Multi-family dwellings, two-family dwellings, and single-family dwellings.
 - (b) Residential and nonresidential uses, as otherwise allowed below, on the same site, in which both of such uses are at least 20 percent of the total floor area, excluding accessory uses.
 - (c) Any of the following uses provided they do not exceed 2,000 square feet of floor area:
 - i. Retail establishments, including delicatessens, bakeries and catering establishments.
 - ii. Specialty shops such as antique stores, gift shops, boutiques, art and craft stores, and apothecary shops.

- iii. Barber shops, beauty shops, and similar personal service establishments.
 - iv. Tailoring, custom dressmaking, millinery, and similar establishments.
 - v. Repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks, and similar devices.
 - (d) Any of the following uses provided they do not exceed 5,000 square feet of public areas:
 - i. Eating and drinking establishments.
 - ii. Museums, galleries, auditoriums, libraries, and similar cultural facilities.
 - iii. Professional or service establishments, but not hiring halls.
 - (g) Offices, studios and similar uses provided that no such individual business establishment shall exceed 15,000 square feet of floor area.
3. Off-Street Parking Requirements
- The following parking requirements shall apply to all uses:
- (a) Off-street parking shall not be permitted between the principal building and the public street.
 - (b) Off-street parking may be located in a rear or side yard.
 - (d) All other uses: No off-street parking is required.
 - (c) All dwellings: Off-street parking requirements shall be as follows:
See section 16-08.007, Table I, for applicable ratios according to the appropriate floor area ratio.
 - (d) Eating and drinking establishments: One space for each 100 square feet of floor area. Where an eating and drinking establishment derives more than 60 percent of its gross income from the sale of malt beverages, wine and/or distilled spirits, it shall be required to have one space for each 75 square feet of floor area. Floor area shall include, in addition to those areas defined in section 16-29.001(13)(b), areas within the existing building footprint where walls have been removed and a permanent roof remains.
 - (e) All other uses: No off-street parking is required.

Sec. 16-20N.009. - Additional use regulations.

In addition to the regulations governing permitted uses set forth in this Chapter, or elsewhere in this Code the following regulations shall apply to permitted uses in this district:

1. Eating and drinking establishments. The following supplemental regulations shall apply in Subarea 1 and Subarea 2:
 - i. No eating and drinking establishment with an alcohol license may be located within 250 feet of another eating and drinking establishment with an alcohol license, including an establishment located outside of the Castleberry Hill Landmark District.
 - (b) Notwithstanding the location of any other premises with an alcohol license, an eating and drinking establishment where sales of alcoholic beverages by the drink constitute less than 50 percent of gross sales may be located within a mixed-use development greater than 10,000 square feet provided that all of the licensed establishments located in such mixed-use development constitute in the aggregate no more than 25 percent of the total square footage of nonresidential floor area in such mixed-use development.
 - (b) Accessory outdoor dining area to any eating and drinking establishment which is otherwise permitted by these regulations may not be located within 100 feet of any dwelling except those located in the same structure;
2. Specifically prohibited uses. Without regard to whether such uses are allowed as a permitted use in other zoning districts under the list of permitted uses allowed in this district, the following uses are prohibited either as primary or accessory uses:
 - (a) Cinema/movie theatre;
 - (b) Bowling alley;
 - (c) Skating rink;
 - a. Video game room, amusement gallery or amusement arcade;
 - b. Pool hall;
 - c. Massage parlor or facility;
 - (h) Tattooing and/or piercing;
 - (i) Adult businesses as defined in section 16-29.001(3);
 - (j) Package stores;
 - (k) Bottle houses;
 - (l) Any establishment which provides "pawn transactions" as defined in O.C.G.A. § 44-12-130 as it exists now or as it may be amended;
 - (m) Offering check cashing services pursuant to a license issued pursuant to Article 4A of Chapter 7 of the Official Code of Georgia;

(m) Any institution except for banks, trust companies, credit unions, business development corporations, building and loan associations, mortgage lenders and mortgage brokers, which offer to loan money to the public. This provision shall not act to prevent the credit sale of goods by any business establishment.

3. Hours of operation. No business establishment is permitted to operate except during the following hours:

- (a) Sunday—Thursday: 6:00 a.m. to 12:00 a.m.
- (b) Friday and Saturday: 6:00 a.m. to 1:00 a.m.

Sec. 16-28A.007. General regulations.

The following general regulations shall apply to all signs located in the city:

(v) *Additional Standards for Signs in Landmark and Historic Areas:* In determining the appropriateness or location of new signs proposed to be placed within the boundaries of any landmark building and site, historic building and site or any property within a landmark district or historic district, the urban design commission shall apply the following criteria in addition to the applicable criteria for certificates of appropriateness specified in chapter 20 of this part 16:

- (1) The size, scale and design of the sign shall be compatible with the size, scale and design of the property, building or site upon which it is to be located.
- (2) The sign's materials shall be compatible with the period and style of the property, building or site.
- (3) The sign's location shall not obscure any significant architectural features of the building or site.
- (4) The sign's installation shall not irreparably damage any cornice, ornament or similar architectural detail and shall be the least damaging method feasible for the property, building or site.
- (5) The content of the message to be conveyed shall not be considered.
- (6) Whenever in these regulations a certificate of appropriateness is required for a sign, the certificate shall be granted or denied within 30 days from the filing of the initial application. If the certificate is not granted or denied within that time period, the applicant may proceed as if the certificate had been granted. Provided, however, if the commission subsequently takes action on the certificate, the director is authorized to take the appropriate action necessary to cause the sign to come into compliance with that decision.
- (7) Any appeal from any decision made on the issuance or denial of a certificate shall be granted or denied within 60 days of the initial filing of the appeal. If the appeal is not granted or denied within this time period, the applicant may proceed as if the appeal was decided in his favor. Provided, however, if action is subsequently taken on the appeal, the director is authorized to take the appropriate action necessary to cause the sign to come into compliance with that decision.

Sec. 16-28A.010. District regulations.

The following regulations shall apply to all signs within the districts indicated. No signs other than those specifically authorized in this section for each district shall be permitted unless otherwise expressly authorized in section 16-28A.007 or elsewhere in this chapter 28A. All signs authorized in a particular district by this section shall, in addition to these district regulations, meet all other regulations in this chapter 28A, including but not limited to section 28A.007, and also shall comply with all other applicable provisions of part 16 and of the code of ordinances.

(5) C-1 (Community Business) District. The following signs shall be permitted in the C-1 (Community business) district:

- a. Number and Area of Building Business Identification Signs: Wall signs, projecting signs, canopy signs, parapet wall signs, suspended signs, and marquee signs shall be permitted. A maximum of three (3) building business identification signs shall be permitted for each business establishment. The combined area of these permitted building business identification signs shall not exceed 10 percent of the total area of the wall of the front of each said business establishment, and in no case shall any individual sign exceed 200 square feet. Notwithstanding these provisions, every business establishment shall be entitled to at least 60 square feet total combined sign area.
- f. Animated, Flashing or Changing Signs Prohibited: No animated, flashing or changing signs shall be permitted.
- g. Signs Extending Over Right-of-Way Prohibited: No sign shall extend or project over any property line onto sidewalk or street right-of-way.
- h. General Advertising Signs Prohibited: General advertising signs shall not be permitted.

(49) Castleberry Hill Landmark District. The sign regulations for the Castleberry Hill Landmark District shall be the same as Section 16-28A.010(5) (C-1 Community Business District), provided that:

- 1. No general advertising signs shall be permitted in the Castleberry Hill Landmark District.
- 2. No sign shall be permitted within the district except after approval by the urban design commission of a certificate of appropriateness as specified in chapter 20 of this part.

3. The location of the sign, unless otherwise specified within this subsection (49), shall be subject to the approval of the urban design commission simultaneously with the request for a certificate of appropriateness.
4. Sign location on the building shall correspond with that portion of the building owned or leased by the person erecting the sign.
5. Signs shall be located as follows:
 - i. In the area of the storefront above the transom and below the second floor windows or centered between the transom and the cornice.
 - ii. On or in display windows or upper facade windows.
 - iii. On or in the glazing of the doors.
 - iv. On the valance of awnings.
 - v. On the fascia or top edge of canopies.
 - vi. Projecting perpendicularly from the building.
6. Where a principal structure is located immediately adjacent to the street, each business establishment shall be permitted to have one sign that does not exceed eight square feet in sign area that projects into the public right-of-way, subject to all other provisions of this part regarding projecting signs. This projecting sign shall be considered one of the three signs allowed for each business establishment.
8. The combined area of these permitted building business identification signs shall not exceed ten percent of the total area of the front wall of each said business establishment, and in no case shall any individual sign exceed 200 square feet. Notwithstanding these provisions, every business establishment shall be entitled to at least 60 square feet total combined sign area.
9. No changing signs shall be permitted.
10. No internally illuminated signs shall be permitted

Repair and repaint the existing wood trim related to the mansard roof.

Replace in-kind the broken mansard roof tiles.

Clean the existing brick, stone, and terra cotta using "gentlest means possible".

The Staff has no concerns about these components of the project.

Replace the existing upper level windows with new wood, double-hung, six-over-one windows.

It is not clear from the documentation provided by the Applicant if the upper level windows are original to the building or historic, though interior photographs would suggest that the upper level windows are more contemporary replacement windows, potentially from the 1950s or 1960s. Previously, the Staff understood the windows to be vinyl replacement window units, but within the original framed/trimmed openings. Given that in either case the windows units are not original or historic to the building, the Staff has no concerns about their replacement.

Regarding the proposed replacement windows, the Staff does not have significant concerns about their design. It finds that given the upper level window frames and trim are original, and trim/spacing between the openings would suggest that sash weight systems existed between the windows, the original windows in the opening were likely double hung, wood windows. The proposed windows retain that appearance. However, the design and material of the windows is subject to the compatibility rule. The Staff would recommend the Applicant confirm compliance with the compatibility rule for the material and design of the upper level windows. The Staff would also recommend that if divided light windows meet the District regulations, the construction technique of such divisions meet the District regulations.

Replace the existing storefront with a three-part storefront.

It appears from the documentation provided by the Applicant and the Staff's knowledge of the building from the 2007 application review, the transom windows, main vertical window frames/trim, and door opening are original to the building or likely historic alterations. Although not clear from the documentation provided, they appear to be in reasonable condition. Based on

the 2007 application review, the door itself and wood infill panels within the storefront framing are not an original or historic alteration.

The Staff would also conclude that the main vertical frames/trim often divided store-front display glass windows and that a standard height knee wall at the sidewalk level also existed on this building. Notwithstanding their condition, the Staff finds that the removal of the transom windows, main vertical frames/trim, and door opening would likely result in the loss of historic fabric.

The Staff would recommend that Applicant document the condition of the transom windows, main vertical frames/trim, and door opening to determine if they are historic or original and can be retained and repaired in-kind. The Staff would recommend that if they are historic or original and in reasonable condition, the transom windows, main vertical frames/trim, and door be retained and repaired in-kind, and that a compatible knee wall be added at the sidewalk level and display glass above, to reestablish the traditional three part storefront design (knee wall/bulkhead, display window, transom). The Staff would further recommend that if the documentation shows that the transom windows, main vertical frames/trim, or door are not historic or original, or cannot be repaired, that a new, wood window and door system be installed that reestablishes the traditional three part storefront design (knee wall/bulkhead, display window, transom) with proportions that are similar to those that currently exist.

Replace the contemporary roll-up garage door with a new roll-up garage door.

The Staff finds that the existing metal garage door is a contemporary design element and its removal will not result in the loss of historic fabric. From its review of the 2007 application, the Staff understands that inside the building, the space behind the garage door is separated from the main interior space by historic bead-board paneling, suggesting that the area behind the garage door has been a vehicle space or storage space for some time. Further, given that the garage door opening and associated curb cut existed at the time of the District designation, replacement with a new, compatible garage door is appropriate. However, the Staff would recommend the Applicant confirm the proposed use of the space behind the garage door and that this use is the same as currently exists or a new use that meets the District regulations.

Reset the concrete curb to extend the width of the storefront.

The Staff has no concerns about reestablishing the curb across the storefront. However, the District regulations require that new or replacement curbing be granite. Further, the District regulations require that all new or replacement sidewalks are either hexagonal pavers or hexagonally-stamped concrete. The Staff would recommend the new curbing and any new sidewalk paving meet the District regulations.

Install a canvas awning over the storefront.

The canvas awning meets the District regulations as to its size, projection, clearance above the sidewalk, material, and location on and attachment to the building.

Add logo sign and address to front door.

The proposed logo sign meets the District regulations as to location, size, and material. The Staff would recommend the street address number meet the District regulations as to location on the building and size of lettering.

Add brackets to garage door opening.

The Staff finds that the proposed brackets are not based on archival, physical, or photographic evidence and would otherwise create a false sense of development and ornamentation to the building. The installation of the brackets in the upper corners of the garage door opening would create an enhanced appearance to an otherwise utilitarian opening. The Staff would recommend the brackets in the garage door opening are removed.

Proposed Use and Other District Regulations

There are several District regulations that are not specifically addressed by the application.

It appears based on the title block of the elevations the use of the building is an office of some type. The District regulations for Subarea 1 allow general offices, as well as residential uses under certain conditions. The Staff would recommend that the Applicant document that the proposed use and floor area of the building meet the District regulations and the City's definition of such uses.

The District regulations do not require off-street parking for non-residential uses, except for eating and drinking establishments

As noted on the plans, the garage opening at the front façade of the building will lead to "material storage". The District regulations do require that the first 8 ft. of any street level development not be used for parking or storage. In this case, the material storage would be allowed if parking or material storage had existed in that area of the building at the time of the District's designation in March, 2006 and since then when the building has been occupied. As noted above, from its previous site visit the Staff understands that inside the building, the space behind the garage door is separated from the main interior space by historic bead-board paneling, suggesting that the area behind the garage door has been a vehicle space or storage space for some time. If this is not the case, storage would not be allowed in this location of the building.

The Staff would recommend the Applicant document that parking or storage had existed in the front right hand corner of the building at the time of the District's designation in March, 2006 and since then when the building has been occupied. The Staff would further recommend that if such documentation does not show the circumstances noted above, the material storage be removed from the renovation proposal.

The Staff would recommend that the plans indicate the location, design, and screening of all exterior mechanical equipment, dumpsters, and loading to confirm that they meet the District regulations.

Staff Recommendations: Based upon the following:

- a) The proposed renovations and site work meet the District regulations, except as noted above, per Section 16-20N.006 and section 16-20N.007.

Staff recommends approval of the application for Application for Type II Certificates of Appropriateness (CA2-14-371) for alterations at **130 Walker Street** - Property is zoned Castleberry Hill Landmark District (Subarea 1), with the following conditions:

1. The Applicant shall confirm compliance with the compatibility rule for the material and design of the upper level windows, per Section 16-20N.006(1)(f) and 16-20M.007(1)(a)(c) and (d);
2. If divided light windows meet the District regulations, the construction technique of such divisions shall meet the District regulations, per Section 16-20M.007(1)(d);
3. The Applicant shall document the condition of the transom windows, main vertical frames/trim, and door opening to determine if they are historic or original and can be retained and repaired in-kind, per Section 16-20N.006(1)(a)-(e);
4. If the documentation shows they are historic or original and in reasonable condition, the transom windows, main vertical frames/trim, and door shall be retained and repaired in-kind, and that a compatible knee wall shall be added at the sidewalk level and display glass above, to reestablish the traditional three part storefront design (knee wall/bulkhead, display window, transom), per Section 16-20N.006(1)(a)-(f) and 16-20M.007(1)(a)(c) and (d);
5. If the documentation shows that the transom windows, main vertical frames/trim, or door are not historic or original, or cannot be repaired, that a new, wood window and door system shall be installed that reestablishes the traditional three part storefront design (knee wall/bulkhead, display window, transom) with proportions that are similar to those that currently exist, per Section 16-20N.006(1)(a)-(f) and 16-20M.007(1)(a)(c) and (d);
6. The Applicant shall confirm the proposed use of the space behind the garage door and that this use is the same as currently exists or a new use that meets the District regulations, per Section 16-20N.006(9)(f)(i);
7. The new curbing and any new sidewalk paving shall meet the District regulations, per Section 16-20N.007(1)(i);
8. The street address number shall meet the District regulations as to location on the building and size of lettering, per Section 16-20N.006(9)(f)(iii);
9. The brackets in the garage door opening shall be removed, per Section 16-20N.006(1)(c) and .007(1)(c);
10. The Applicant shall document that the proposed use and floor area of the building meet the District regulations and the City's definition of such uses, per Section 16-20N.007(2) and (3);
11. The Applicant shall document that parking or storage had existed in the front right hand corner of the building at the time of the District's designation in March, 2006 and since then when the building has been occupied, per Section 16-20N.006(9)(f)(i);
12. If such documentation does not show that parking or storage existed in the front right hand corner of the building at the time of the District's designation in March, 2006 and since then when the building has been occupied, the material storage be removed from the renovation proposal, per Section 16-20N.006(9)(f)(i);
13. The plans shall indicate the location, design, and screening of all exterior mechanical equipment, dumpsters, and loading to confirm that they meet the District regulations, per Section 16-20N.007(1)(g); and
14. The Staff shall review, and if appropriate, approve the required documentation, plans, and material specifications.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 10, 2014

Agenda Item: Review and Comment (RC-14-372) on alterations and additions at **31 Woodcrest Avenue**- Property is zoned R-4/ Brookwood Hills Conservation District.

Applicant: Gail Glozier
3763 Rogers Bridge Road, Duluth

Facts: According to the Brookwood Hills Inventory, the single-family dwelling was built in 1923 and is considered contributing.

Analysis: The following code sections apply to this application:
Per Section 16-20.007(b) of the Atlanta Land Development Code, as amended:

Conservation Districts Exempted: Certificates of appropriateness are not required for Conservation Districts. However, no person shall construct, alter, demolish or move, in whole or in part, any building, structure or site located within a Conservation District until the Commission shall have reviewed the proposed action(s) and made written recommendations regarding any such action to the owner(s) of the property.

Sec. 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Brookwood Hills Conservation District does not have specific architectural regulations similar to Atlanta's historic or landmark districts, therefore the Commission should refer to Further Standards listed in Chapter 20 of the zoning ordinance, which apply to all locally designated districts and properties.

The Applicant is proposing to remove an existing carport in order to accommodate a new two-story addition, a rear porch and a deck. As the proposal includes the removal of the existing carport and additions on the rear, Staff finds it would be helpful to have pictures of the existing carport and the rear of the house. Staff suggests the Applicant provide pictures that show the existing carport and the rear elevation.

In looking at the proposed site plan, the location of the proposed additions and the change in topography will minimize the view of the additions from the street. In general, Staff finds the proposed additions will not have a significant negative impact on the streetscape. In looking at the elevations, Staff finds the overall design, massing, height, fenestration and architectural details are appropriate. While Staff has no general concerns regarding the proposed additions, Staff finds the proposed façade material is not consistent or compatible with the existing house. While cementitious will clearly differentiate the proposed additions from the existing house, Staff finds using masonry as the façade material would be more appropriate.

Staff recommends the Commission send a letter with comments to the Applicant.



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

December 10, 2014

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-14-374) for alterations at **251 Iswald Street**- Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline.

Applicant: Josh Palmer
1550-A Oak Industrial Lane, Cumming

Facts: According to the 2002 inventory, this single family dwelling was built in 1920 and is considered contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20.007

- (a) *When Required, Generally:* In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
- (3) *Landmark Districts:*
- (a) To change the exterior appearance of any structure within any Landmark District;

Per Section 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Per Section 16-20A.005. Certificates of appropriateness.

Certificates of appropriateness within this district shall be required as follows:

- (1) *When required:*
To change the exterior appearance of any portion of a structure within the district
- (2) *Type required:*
 - a) When a certificate of appropriateness is required under the provisions of subsection (a) above, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the Zoning Code. Provided, however, that a partial demolition of a contributing building shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

Sec. 16-20A.006. General regulations.

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) *Minimum standards.* These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.
- (3) *Applications.* Materials necessary for complete review of an application shall be submitted with the application as set forth by the director. In addition, a scaled site plan showing all improvements, photographs of existing conditions and adjoining properties, and elevation drawings of all improvements shall be submitted for all Type III Certificate of Appropriateness applications. For new construction of a principal building, the application shall also include a scaled drawing showing all front yard setbacks, heights of, and widths of, and the distances between all existing buildings on the block face, along with those of the proposed structure.
- (4) *Additional notification.* The applicant shall be given contact information for interested Cabbagetown community organizations and shall be directed to provide the organization with a copy of the submitted application and attachments within three (3) days of submission to the commission.
- (5) *Cabbagetown design guidelines.* The commission shall adopt and maintain guidelines, referred to herein as the Cabbagetown Design Guidelines. These guidelines shall: further the intent of these regulations; further define elements of architectural style and applicability; provide important additional detailed information regarding the construction and renovation of historic buildings; and be used as a guide to ensure the compatibility of future development in the Cabbagetown Landmark District.
- (6) *The compatibility rule.*
 - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.

- c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
- (13) *Design standards and criteria for new principal buildings.* The following regulations shall apply to new construction of principal buildings.
- b) *Facades:*
 - 1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
- (14) *Design standards for alterations and additions to contributing buildings.* Alterations and additions to contributing buildings shall be subject to design review by the commission and shall be consistent with and reinforce the historic architectural character of the existing building, shall comply with the appropriate regulations for new construction set forth in section 16-20A.006(13), and shall comply with the following requirements:
- a) All repair work shall be match the original materials regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade.
 - b) All replacement materials or building elements shall match the original materials or building elements regarding design, size, dimension, scale, materials, location on the building, orientation, pitch, reveal and amount of projection from the façade.
 - c) Alterations shall not introduce materials or building elements that do not reinforce the architectural character of the building and shall not destroy historic materials that characterize the property.
 - d) The height or width of any alteration or addition shall not exceed the height or width of the existing building.
 - e) Any alterations or additions shall be compatible with the massing, scale and architectural features of the property.

The Applicant is proposing to replace the existing asbestos siding. Staff finds the existing siding is not original and therefore Staff does not have a concern regarding the proposed removal of the siding. Staff finds it likely the original wood siding is underneath the asbestos siding. If the original siding still exists, it shall be repaired and retained. If the original wood siding is beyond repair, the new siding shall match the original siding in material, dimension and reveal. If there is no original or historic siding on the house, the new siding can be smooth cementitious siding with a 4" to 6" reveal.

Staff Recommendation: Based upon the following:

- (a) The plans meet the regulations, per Section 16-20A.006 (15);

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-14-374) for alterations at **251 Iswald Street**- Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline, with the following conditions:

- 1. If the original siding still exists, it shall be repaired and retained, per Section 16-20A.006(14);
- 2. If the original wood siding is beyond repair, the new siding shall match the original siding in material, dimension and reveal, per Section 16-20A.006(14);
- 3. If there is no original or historic siding on the house, the new siding can be smooth cementitious siding with a 4" to 6" reveal, per Section 16-20A.006(13)(b)(1); and
- 4. Staff shall review and if appropriate approve the final siding specifications.



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 10, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-376) for a variance to allow an expansion of a deck in a front yard, and additions in the side and front yards that have smaller setbacks than the existing house, and (CA3-14-375) for alterations and additions at **242 Elizabeth St.** - Property is zoned R 5 / Inman Park Historic District (Subarea 1) / Beltline.

Applicant: Scott Reynolds
242 Elizabeth St.

Facts: According to the District inventory sheet, the house was built in 1910 and is considered contributing to the District. The two-story, hipped roof house faces Elizabeth Street. The lot also has angled frontage on Lake Avenue, making it a double frontage lot and making the house at two “front” facades and two “front” yards. The yard facing Elizabeth Street is generally flat, even with the sidewalk, and functions as the traditional front yard. The yard facing Lake Avenue sits well above Lake Avenue and functions as the traditional rear yard.

The project consists of the following components:

1. Facing Lake Avenue, remove a contemporary deck and replace it with a screened porch and new deck;
2. Facing Lake Avenue, add a second level above a contemporary addition;
3. Facing Lake Avenue, replace a contemporary, second level window with a bay window;
4. On the south side of the house, add a small stoop and set of stairs to provide access to the existing driveway;
5. On the south side of the house, add a swinging gate for the existing driveway near the front corner of the house; and
6. In the Lake Avenue yard, remove a parking pad and other paving, and install new landscaping and a patio area.

No other alterations, additions, or site work are proposed as this time.

The above noted work requires three variances, given the new deck is located in a “front” yard, the new screened porch (an addition) will be located closer to Lake Avenue than the existing

house, and the new side stoop and stairs (an addition) will be located closer to the south property line than the existing house.

The Applicant previously submitted a Type II Staff Review application for all of the components of the project noted above. Given the double frontage status of the lot and need for the three variances noted above, the Staff could not complete the requested review under the Type II Staff Review process. While the review of the additions cannot be completed under the Type II Staff Review process regardless of the outcome of the Commission's review of the subject application and variances, the review of the site work could still be completed under the Type II Staff Review process if it otherwise meets the District regulations.

Analysis: The following code sections apply to this application:

Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Inman Park Historic District.

1. General criteria.

- a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
- b. In the Inman Park Historic District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- d. Compatibility rule:
 - i. The intent of the mayor and council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face; and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945.

- ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
 - (a) Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure.
 - (b) Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
 - f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
2. Certificates of appropriateness.
- a. Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.
 - e. Type IV certificates of appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.
3. Variances, Special Exceptions, and Appeals.
- Variance applications, applications for Special Exceptions, and appeals from these Regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, and criteria for decisions regarding such variances shall be the same as those specified in Chapter 26 of this Part 16. The Commission shall have the authority to grant or deny applications for Special Exceptions pursuant to the standards in Chapter 25. The Commission shall have the authority to grant or deny applications for appeal pursuant to the standards in Section 16-30.010 and the appeal provisions for said decision, set forth in Section 16-30.010(e), shall also apply to the Commission's decision.

Sec. 16-20L.006. - Specific regulations for Inman Park Core District, Subarea 1.

In the Inman Park Core District, Subarea 1, the commission shall apply the standards referenced in section 16-20L.005(1)(b) only if the standards set forth below in this chapter 20L do not specifically address the application:

- 1. Design standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - f. The compatibility rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.

- (3) Window and door casings widths and depths are subject to the compatibility rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
- p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
- q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.
 - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
- 2. Setback requirements:
 - b. New additions to existing structures: The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
- 4. Principal uses and structures:
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - v. Floor area ratio shall not exceed 0.50.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Variance Analysis:

The Applicant submitted a variance analysis that was previously sent to Commission members.

The Staff would agree that double frontage lots are unusual in general in the District and along Elizabeth Street in particular, limited to the very northern end of the street. The Staff would also agree that the design of the house follows the traditional pattern of clearly having a front and rear façade, as is the case with almost every other house in the District. Additionally, the Staff would note that if additions were not permitted on what was designed to be the rear of the house (which is the most appropriate place for an addition from a historic preservation perspective) this would virtually eliminate the potential to expand the house. The District regulations are specifically geared to accommodate additions (and decks) on the rear of the houses. Further, the Staff would note that the property's relationship to Lake Avenue reinforces the characteristic that the functional rear yard is the back of the property and reduces any potential negative effects of

adding to the “front” of the house. Lastly, the Staff would note that the side yard addition (the stoop and stairs) will have a limited effect on the architecture of the house and the adjacent neighbor.

The Staff would recommend the approval of all three variance requests.

Design Analysis:

Facing Lake Avenue, remove a contemporary deck and replace it with a screened porch and new deck.

Taking into account the Staff recommendation for the variance, the Staff has no concerns about the removal of the deck or the design and materials of the proposed deck, given its railing design and limited visibility from Lake Avenue due to the change in grade. Its side yard setback is farther away from the north side property line than the existing house.

Similarly, the Staff does not have concerns about the proposed screened porch given its design and materials and limited visibility from Lake Avenue due to the change in grade. Its design and materials are compatible with the house and maintain the hierarchy of ornamentation found of the house (i.e. simpler columns on a rear porch vs. on the front porch). Its side yard setback is also farther away from the south side property line than the existing house.

Facing Lake Avenue, add a second level above a contemporary addition.

Taking into account its recommendation for the variance, generally speaking the Staff has no concerns about the design of the proposed addition. It will be no taller than the existing house, will meet the setback requirements, has a compatible roof form, will be demarcated from the existing house via a false corner board, and its materials appear to be compatible with the existing house and meet the District regulations. The two smaller (but proportional) accent windows are typical of such windows found on secondary elevations. The lot coverage will not be altered with this addition and the floor area ratio will still be below the maximum allowed by the District regulations.

However, the Staff would recommend that the light divisions in the windows in the addition meet the District regulations and all the materials of the addition are noted on the plans and meet the District regulations.

Facing Lake Avenue, replace a contemporary, second level window with a bay window.

While the Staff does not have concerns about the design of the bay window (though its materials are not noted on the plans), the Staff is concerned about the circular window above it. The Staff does not find that such an accent window (in contrast to the windows on the addition) is compatible with the architectural style of the house. The Staff would recommend it either be removed from the design or revised to reflect a window design and shape compatible with the architectural style of the house.

The Staff would recommend the light divisions in the bay window changes meet the District regulations and all the materials of the bay window are noted on the plans and meet the District regulations.

On the south side of the house, add a small stoop and set of stairs to provide access to the existing driveway.

Taking into account its recommendation on the variance, the Staff has no concerns about the proposed stoop and stairs on the side of the house. The wood stairs and railing and brick foundation are typical of such secondary stairs or side stairs on houses in the District. The railing design is compatible with the existing house.

On the south side of the house, add a swinging gate for the existing driveway near the front corner of the house.

The Staff has no concerns about the removal of the parking pad and other paving. All of the site work features of the activity in the Lake Avenue yard can be reviewed under the pending Type II Staff Review application.

In the Lake Avenue yard, remove a parking pad and other paving, and install new landscaping and a patio area.

The Staff has no concerns about the removal of the parking pad and other paving. All of the site work features of the activity in the Lake Avenue yard can be reviewed under the pending Type II Staff Review application.

Variance (CA3-14-376):

Staff Recommendation: Based upon the following:

(a) The Applicant has shown that the variance criteria have been met, per Section 16-26.003(1).

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-14-376) for a variance to allow an expansion of a deck in a front yard, and additions in the side and front yards that have smaller setbacks than the existing house at **242 Elizabeth St.** - Property is zoned R 5 / Inman Park Historic District (Subarea 1) / Beltline.

Design Review (CA3-14-375):

Staff Recommendation: Based upon the following:

(a) The Staff recommendation regarding CA3-14-376; and

(b) Except as noted above, the proposal meets the District regulations, per Section 16-20L.005 and Section 16-20L.006.

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-14-375) for alterations and additions at **242 Elizabeth St.** - Property is zoned R 5 / Inman Park Historic District (Subarea 1) / Beltline, with the following conditions:

1. The light divisions in the windows in the addition and bay window area shall meet the District regulations and all the materials of the addition and bay window area shall be noted on the plans and shall meet the District regulations, per Section 16-20L.005(1)(b), Section 16-20L.006(1)(n)(i), and Section 16-20L.006(1)(q); and
2. The Staff shall review, and if appropriate approve, the final plans, supporting documentation, and specifications.



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 10, 2014

Agenda Item: Review and comment (RC-14-377) on site work for **115 Jackson Street (Hope-Hill Martin Luther King, Jr. Park)** – Property is zoned Martin Luther King, Jr. Landmark District (Subarea 3) / Beltline.

Applicant: Daniel Calvert
233 Peachtree Street, Suite 1700

Facts: In the 1990s or 2000s, the playground that was at the southeast corner of the park was demolished. This corner of the park is located in the interior of the block, behind the new educational and community building for the New Horizon's Ebenezer Baptist Church and adjacent to the promenade to the National Park Service Visitor Center. The remainder of the park is occupied by a flat, multi-purpose field. The proposed park design is a rectangle with four groups of equipment, as well as a shaded seating area with benches on its east end. The entire playground will be surrounded by the fence. The entrances to the playground will be located on the east side facing the promenade and along the north side, facing the multipurpose field.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.
- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

While the Staff generally finds that the design of the playground is appropriate for the context in which it sits (surrounded by all contemporary / new construction), the Staff does have several comments and concerns.

First, it is not clear who the playground will be serving and how access will be provided. The Staff presumes that the students at Hope-Hill Elementary School (which is located just east of the promenade) will be using it, but there are no access ways shown to the east outside of the gate. Given the design and landscaping of the promenade, the Staff would recommend that any connections to the promenade are compatible with its materials and design quality. Similarly, the gate to the north opens up to an existing fence along the southern edge of the multipurpose field, but doesn't appear to provide access between the two components of the park. Lastly, no access is provided from the west from the un-defined portion of the park or Jackson Street.

Second, the Staff would recommend that natural screening be provided along the southern edge of the playground to provide a visual delineation between the surface parking lot and the playground. However, this screening should not be any higher than the fence so that it does not present a security risk.

Third, given the lack of shade for the playground, the Staff would recommend even more shade structures, including some over at least one additional piece of the equipment.

Lastly, the Staff would recommend that additional seating be located on the west end of the playground to compliment the proposed seating at the east end of the playground.

Staff Recommendation: The Staff recommends that the Commission confirm the delivery of its comments at the meeting for an application for a Review and comment (RC-14-377) on site work for **115 Jackson Street (Hope-Hill Martin Luther King, Jr. Park)** – Property is zoned Martin Luther King, Jr. Landmark District (Subarea 3) / Beltline.



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 10, 2014

Agenda Item: Application for Type II Certificates of Appropriateness (CA2-14-378) for alterations at 783 Lynwood Street– Property is zoned R-5/Grant Park Historic District (Subarea 1)/Beltline.

Applicant: Shona Griffin
4000 Ferry Heights Drive

Facts: According to the Grant Park Inventory sheet this existing dwelling built in 1950 is considered contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (2) Certificates of Appropriateness.
- (B) Type III Certificates of Appropriateness shall be required for:
 - 1. All new principal structures;

Per Section 16-20K.007:

- (1) *Development Controls.*
 - (A) *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
 - (B) *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.
 - (C) *Rear Yard:* Rear yard setback shall be seven feet.
 - (D) Off-street parking and driveway requirements:
 - 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.
- (2) *Architectural Standards.*
 - (A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures,

but to foster residential design that, with regard to massing, size, scale, materials, and architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

(B) *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).

4. All front facades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.

5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.

d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.

(D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

In the Grant Park Historic District, only changes that face a public street are reviewed by the Commission. As this is an interior lot, Staff will make comments on the front facade.

Site

Staff finds the site plan submitted by the Applicant does not match the City of Atlanta lot boundary map. Staff suggests the Applicant work with the Office of Planning subdivision Staff to resolve the discrepancy. Given the size of the property, Staff finds the lot discrepancy does not have an impact on the proposed project.

The Applicant is proposing to replace the existing stairs with a new larger set of stairs. Staff would note the proposed stairs are not any closer to the front property line than the house. Staff would also note the portions of the stairs that count against the setback are no closer to the front property line than the existing stairs. Staff has no concerns regarding the location of the stairs. Staff finds the setback and lot coverage requirements have been met.

Porch Alterations

According to the Applicant, alterations to the porch roof, stairs and railings are required to meet the code requirements. Given the height of the porch foundation, Staff finds a railing is required and appropriate. Staff has no concerns regarding the proposed design or location of the proposed porch and stair railing. The Applicant is proposing to remove the existing hipped porch roof and replace it with a gable to meet the height requirements. Given the existence of both hipped and gable roofs on the home, Staff finds the proposed gable roof for the porch is appropriate. Staff finds the change in the porch roof form will not significantly negatively impact the existing historic building.

The Applicant is proposing to replace the existing porch decking, columns and skirt board. Staff recommends the Applicant provide clarification regarding why the porch decking, columns and skirt board require replacement. The Applicant is proposing to install larger stairs to meet the code requirement. While Staff finds the installation of new stairs to meet the code requirements is appropriate, Staff finds the use of concrete with stone accents is not compatible with the façade material and design of the existing house. Staff recommends the proposed stairs are wood, brick or concrete with closed risers and ends.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type II Certificate (CA2-14-378) for alterations at **783 Lynwood Street**– Property is zoned R-5/Grant Park Historic District (Subarea 1)/Beltline, with the following conditions:

1. The Applicant shall provide clarification regarding why the porch decking, columns and skirt board require replacement, per Section 16-20K.007(2)(D);
2. The proposed stairs shall be wood, brick or concrete with closed risers and ends, per Section 16-20K.007(2)(D); and
3. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 14, 2014

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-14-379) for a revisions of plans at **551 Harwell Road** - Property is zoned R-3/Collier Heights Historic District.

Applicant: Shona Griffin
4000 Ferry Heights Drive

Facts: According to the Collier Heights survey book, this church is considered contributing.

At the July 23rd meeting, the Commission approved an application for a Type III Certificate of Appropriateness (CA3-14-156) for alterations and additions with the following conditions:

1. The Applicant shall submit documentation the front yard setback requirement has been met, per Section 16-20Q.006(1)(b);
2. The Applicant shall submit revised plans that reflect option #4, per Section 16-20Q.005(1)(b)(ix)."
3. The 1959 building shall be documented using digital photography and a short narrative regarding the history of the building; and
4. Staff shall review and if appropriate, approve the final plans.

This current application is for a revision to previously approved plans.

Analysis: The following code sections apply to this application:

Per Section 16-20Q.005 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Collier Heights Historic District.

Sec. 16-20Q.005. General regulations.

The following general regulations shall apply to the Collier Heights Historic District.

(1) General criteria.

- a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.

b. In the Collier Heights Historic District, the Commission shall apply the standards referenced below only if the standards set forth elsewhere in this Chapter 20Q do not specifically address the application including but not limited to multifamily residential, institutional, commercial and mixed use structures:

i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

ii. The historic character of a property shall be retained and preserved. Distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall not be removed.

iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.

iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.

v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.

vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and materials.

vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.

viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.

ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(2) *Certificates of appropriateness.* Certificates of appropriateness within this district shall be required as follows:

(vi) The following shall require a Type III certificates of appropriateness which shall be reviewed by the commission:

(c) Revisions to Type III certificate of appropriateness applications previously approved by the commission, conditionally or otherwise, including but not limited to changes in floor area ratio, lot coverage, setback, building footprint, or building height;

(3) *The compatibility rule.* In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (i.e. roof form, architectural trim, façade material, window type and material, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height, setbacks, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use on that block face."

- (a) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
- (b) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
- (c) When no structure exists on a block face that would qualify as a comparable structure under the compatibility rule, the comparisons shall be made to a qualifying structure(s) on the block, and if no such structure exists on the block, the comparison shall be made to a qualifying structure(s) on an adjacent block face or block, and if no such structure exists on an adjacent block face or block, the comparison shall be made to a qualifying structure(s) located in the district.

Sec. 16-20Q.006. Specific regulations.

In addition to the general regulations set forth in section 16-20Q.005, and any other applicable regulations, the following regulations shall apply to all properties in the District:

(1) Building façades, materials, and massing.

- (a) All new principal structures shall conform to the existing building orientation by having front façades and front doors facing and parallel to the street, and except in those blocks in which the historic pattern is such that structures are situated at an angle to the street, in which case the compatibility rule shall apply. If located on a corner lot, the orientation of the front façade shall be based on the compatibility rule whenever possible.
- (b) Front, side and rear yard setbacks for all new principal structures shall be subject to the compatibility rule. The front and rear yard setbacks of additions shall be subject to the compatibility rule. The side yard setbacks of additions shall not be subject to the compatibility rule but shall be no closer than the side yard setbacks of the existing principal structure.
- (c) The compatibility rule shall apply to the overall design, size, scale, massing and width of new principal structures and additions.
- (g) The compatibility rule shall apply to all building façade materials on all façades, and in addition to all other applicable regulations, as follows:

(2) Windows and doors.

- (a) Original or historic windows and exterior doors shall be retained.
- (b) Replacement windows or exterior doors shall be permitted only when the original or historic windows and exterior doors cannot be rehabilitated.
- (c) If original or historic windows or exterior doors cannot be rehabilitated, replacement windows and doors shall match the original or historic in light design, function, materials, shape, and size.
- (d) Replacement windows and doors for non-original or non-historic windows and doors shall be compatible with the architectural style of the structure or shall be subject to the compatibility rule.
- (e) On existing principal structures, new doors and windows in new openings, when permitted, shall be compatible in scale, size, proportion, placement and style to existing windows and doors.
- (f) On the front and side façades of new principal structures and additions, the ratio of openings to solid; the scale, size, proportion, and location of all openings; and the design, light patterns, and material of windows and doors shall be established by the compatibility rule.

(21) Design criteria for alterations and additions to contributing structures. Alterations and additions to contributing structures requiring a certificate of appropriateness shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure, shall comply with the applicable regulations for in subsection 16-20Q.006; and shall not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect

the historic integrity of the property and its environment, any new work shall be compatible with the massing, size, scale and architectural features of the property and environment.

In a previous application, the Commission approved additions and alterations based on elevations indicated as option #4. Option #4 included the retention of the front façade, including the brick walls, windows, aluminum flashing and decorative panels would be retained. In revised plans, the front of the addition will use all new material with the exception of the retention of the existing mosaic plaque. Staff recommends the Applicant clarify why the existing brick walls, windows and aluminum panels cannot be retained.

The revised front façade elevation features a stucco band and stucco panels that are consistent with the main church building. While the proposed windows are not double hung, the overall size, location and grouping of the proposed windows is similar to the existing façade. If the front façade of the existing building cannot be retained, Staff finds the proposed fenestration and details of the revised front façade are appropriate. Staff has no concerns regarding the proposed revised front façade changes.

The Applicant is proposing to install a paved area with a simple metal railing in front of the proposed addition. In looking at the site plan and pictures submitted by the Applicant, Staff finds the paved area and railing are needed to accommodate handicap accessibility. Without the proposed paved area and railings, it appears there would be no handicap accessibility access to the new addition from the outside. Staff has no concerns regarding the installation of the paved area and railing. Staff has no concerns regarding the design or materials proposed.

Staff recommends all previous conditions from application CA3-14-156 are retained with the exception of condition #3.

Staff Recommendation: Based upon the following:

- (a) The plans meet the regulations per Section 16-20Q.006, with the exceptions noted above;

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-14-379) for a revision of plans at **551 Harwell Road** - Property is zoned R-3/Collier Heights Historic District, with the following conditions:

1. The Applicant shall clarify why the existing brick walls, windows and aluminum panels cannot be retained, per Section 16-20Q.005(1)(b)(ix);
2. All previous conditions from application CA3-14-156 shall be retained with the exception of condition #3; and
3. Staff shall review and if appropriate, approve the final plans.



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 10, 2014

Agenda Item: Application for Type II Certificate of Appropriateness (CA2-14-380) for alterations and revision of plans at **1320 Ponce De Leon Avenue** – Property is zoned Druid Hills Historic District.

Applicant: Dan and Melinda Mashburn
1320 Ponce De Leon Avenue

Facts: The address in question is part of the Adair Estate. At the September 24th meeting, the Commission approved an application for a Type II Certificate of Appropriateness (CA2-14-261) for alterations and site work with the following conditions:

1. The proposal shall feature a more appropriate roofing material, per Section 16-20B.003(5);
2. The Applicant shall provide details regarding how the existing columns will be repaired, per Section 16-20B.003(6); and
3. Staff shall review and if appropriate, approve the final plans.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark buildings and sites:

(b) To change the exterior appearance of any structure within any Landmark District;

Per Section 16-20B.003 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale/Oakdale/Lullwater.. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

- (5) *Minimum architectural controls:* Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for

each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995, Standards for Rehabilitation

REHABILITATION IS DEFINED AS the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

In a previous application, the Commission approved the addition of a roof over the existing patio, a new balcony, repair of the existing columns and installation of gutters. The revised proposal requests replacement of the existing columns as opposed to repairs. As the existing house was built in 2000, Staff finds replacement of the columns does not constitute destruction of historic fabric. Staff has no concerns regarding the replacement of the existing columns.

In the original application, Staff found the use of standing seam metal was not appropriate. Specifically, Staff indicated the use of standing seam metal in the district was mainly used for small coverings over doors and at the rear of the house. As part of the submittal, the Applicant provided documentation regarding a case heard in 2013 (CA2-13-385). While that application was approved, Staff had the same concerns with the use of standing seam metal for that project.

In the submittal, there is a letter from the Druid Hills Landmark Preservation Committee that addresses the use of metal for the roof. The committee indicates a metal roof is required due to the slope required to accommodate the existing second floor window sills. The proposed roof is 3 in 12 and therefore slate or asphalt shingles can be used. Staff recommends the Applicant clarify why a standing seam metal roof must be installed as opposed to slate or asphalt shingles.

Staff Recommendation: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of the Application for Type II Certificate of Appropriateness (CA2-14-380) for alterations and revision of plans at **1320 Ponce De Leon Avenue** – Property is zoned Druid Hills Historic District, with the following conditions:

1. Staff recommends the Applicant clarify why a standing seam metal roof must be installed as opposed to slate or asphalt shingles., per Section 16-20B.003(5); and
2. Staff shall review and if appropriate, approve the final plans.



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **December 10, 2014**

Agenda Item: Application for a Review and Comment (RC-14-381) for demolition of a single family house at **959 Hill Street**- Property is zoned R-5-C/Beltline.

Applicant: Henrietta Kisseih
1100 2nd Street, Stone Mountain

Facts: The property in question was built in 1940 and is potentially eligible for the National Register of Historic Places. The Watershed Management Department is proposing the demolition of 14 properties in the Peoplestown Neighborhood that are owned by the City of Atlanta. This application is for the demolition of one of the properties.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

(5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

(7) The commission shall review the alteration, demolition, movement or construction of any structures, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

In a 1999 report prepared by the Urban Design Commission, more than half of the structures in the Peoplestown Neighborhood are indicated as being 50 years or older, with a concentration of historic properties along Atlanta Avenue, Ormond Street and south along Martin Street. Since the 1999 report was released, there have been numerous demolitions and a great deal of historic fabric has been lost.

In looking at the dates of construction for all 14 properties proposed for demolition, the majority of the properties were built in the 1920's and the 1940's. Only three of the properties would be considered non-historic. The majority of the properties proposed for demolition are located on Atlanta Avenue and Ormond Street. Staff would note Atlanta Avenue and Ormond Street are parallel and the properties proposed for demolition back up to each other. Given the number of historic buildings that have already been lost, Staff was initially very concerned regarding the potential for the demolition of

more historic buildings. Staff spoke with the Department of Watershed Management to get clarification regarding why the buildings required demolition and whether there were any alternatives to demolition considered.

The area in question is located where two streams historically have come together and now where the sewer lines come together. The properties also sit significantly lower than the rest of the neighborhood. The neighborhood has been greatly impacted by the construction for the 1996 Olympic Stadium, continues to be impacted by run-off from Turner Field, the nearby surface parking lots and development near downtown. Whenever there is a significant amount of rainfall, over a short or long period of time, the area is flooded with both storm water and sewage. According to Watershed Management, this area has already been flooded several times this year. The properties in question are flood damaged houses and the proposed demolition is part of settlement terms between the property owners and the City of Atlanta for several lawsuits.

Staff inquired whether there is a solution that would prevent the area from being flooded with storm water and sewage, without demolishing the houses. The problem could be resolved, however the cost would be 200-300 million dollars versus a significantly lower amount for the proposed solution. Given the cost involved, Staff finds the solution to avoid demolition of the existing houses is not feasible.

If the properties cannot not be retained, Staff's next concern is what would ultimately happen with the vacant lots created. Watershed Management is proposing to resolve the flooding issue by using the vacant lots to create detention ponds and bioretention. Staff had concerns regarding whether this area could be used by residents as an amenity and ultimately what the area would look like. While the design of the detention ponds and bioretention area will ultimately be reviewed by the Commission as another City project. Watershed Management indicated they are looking at a solution similar to Fourth Ward Park with a possible design that would be inspired by Japanese sunken gardens. Watershed Management has indicated they have already been meeting with the neighborhood regarding potential designs of the detention pond and bioretention area.

Staff finds the retention of historic buildings in the Peoplestown neighborhood is important. Staff finds the proposed demolition will be a significant loss of historic fabric and a detriment to the neighborhood. However, given the information we have at this time, Staff finds retention of the existing properties is not feasible, nor would it allow for a comprehensive solution to the flooding problem. Staff finds the proposed demolitions are warranted.

In looking at the City of Atlanta lot boundary map, the properties at 271 Tuskegee Street (a.k.a. 960 Grant Terrace) and 659 Hill back up to one another. One question Staff has regarding the property on Hill Street is how it relates to the other proposed demolitions. While the properties on Ormond and Atlanta back up to each other, the property at Hill Street is not near the other properties and it appears the property could not be used as part of the proposed detention ponds and bioretention area. Staff suggests the Applicant clarify how the demolition of the single Hill Street property relates to the other proposed demolitions.

Staff Recommendation: Staff recommends that the Commission deliver its comments to the Applicant at the Commission meeting regarding Application for a Review and Comment (RC-14-381) for demolition of a single family house at **959 Hill Street**- Property is zoned R-5-C/Beltline.



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **December 10, 2014**

Agenda Item: Review and Comment (RC-14-382) for site work at **650 Cleveland Avenue (Hutchinson Elementary School)** - Property is zoned O-I.

Applicant: Reed Parker
5074 Bristol Industrial Way, Suite A

Facts: The existing school is located in Hammond Park neighborhood in NPU X. According to AUDC files, the existing school was constructed in 1956.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

The Applicant is proposing to install a new ADA accessible sidewalk ramp on the eastern end of the building, a new ramp and reconstruction of the existing sidewalk on the west end of the building, creation of four additional handicap accessible parking spaces and the addition of three trench drains. The site plan submitted does not include the entire site or any nearby streets. Staff finds it would be helpful to have a more comprehensive site plan to put the proposed site work in context. Staff finds the proposed changes to the site will help address pedestrian access, increase handicap accessibility and address storm water run-off. Staff finds the proposed changes to the site are appropriate and necessary.

Given the information we have at this time, Staff recommends the Commission deliver its comments at the meeting.



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **December 10, 2014**

Agenda Item: Application for a Review and Comment (RC-14-383) for demolition of a single family house at **271 Tuskegee Street**- Property is zoned R-5-C/Beltline.

Applicant: Henrietta Kisseih
1100 2nd Street, Stone Mountain

Facts: The property in question was built in 1935 and is potentially eligible for the National Register of Historic Places. The Watershed Management Department is proposing the demolition of 14 properties in the Peoplestown Neighborhood owned by the City of Atlanta. This application is for the demolition of one of the properties.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

(5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

(7) The commission shall review the alteration, demolition, movement or construction of any structures, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

In looking at the dates of construction for all 14 properties proposed for demolition, the majority of the properties were built in the 1920's and the 1940's. Only three of the properties would be considered non-historic. The majority of the properties proposed for demolition are located on Atlanta Avenue and Ormond Street. Staff would note Atlanta Avenue and Ormond Street are parallel and the properties proposed for demolition back up to each other. Given the number of historic buildings that have already been lost, Staff was initially very concerned regarding the potential for the demolition of more historic buildings. Staff spoke with the Department of Watershed Management to get clarification regarding why the buildings required demolition and whether there were any alternatives to demolition considered.

The area in question is located where two streams historically have come together and now where the sewer lines come together. The properties also sit significantly lower than the rest of the neighborhood. The neighborhood has been greatly impacted by the construction for the 1996 Olympic Stadium, continues to be impacted by run-off from Turner Field, the nearby surface parking lots and development near downtown. Whenever there is a significant amount of rainfall, over a short or long period of time, the area is flooded with both storm water and sewage. According to Watershed Management, this area has already been flooded several times this year. The properties in question are flood damaged houses and the proposed demolition is part of settlement terms between the property owners and the City of Atlanta for several lawsuits.

Staff inquired whether there is a solution that would prevent the area from being flooded with storm water and sewage, without demolishing the houses. The problem could be resolved, however the cost would be 200-300 million dollars versus a significantly lower amount for the proposed solution. Given the cost involved, Staff finds the solution to avoid demolition of the existing houses is not feasible.

If the properties cannot not be retained, Staff's next concern is what would ultimately happen with the vacant lots created. Watershed Management is proposing to resolve the flooding issue by using the vacant lots to create detention ponds and bioretention. Staff had concerns regarding whether this area could be used by residents as an amenity and ultimately what the area would look like. While the design of the detention ponds and bioretention area will ultimately be reviewed by the Commission as another City project. Watershed Management indicated they are looking at a solution similar to Fourth Ward Park with a possible design that would be inspired by Japanese sunken gardens. Watershed Management has indicated they have already been meeting with the neighborhood regarding potential designs of the detention pond and bioretention area.

Staff finds the retention of historic buildings in the Peopletown neighborhood is important. Staff finds the proposed demolition will be a significant loss of historic fabric and a detriment to the neighborhood. However, given the information we have at this time, Staff finds retention of the existing properties is not feasible, nor would it allow for a comprehensive solution to the flooding problem. Staff finds the proposed demolitions are warranted.

In looking at the City of Atlanta lot boundary map, the properties at 271 Tuskegee Street (a.k.a 960 Grant Terrace) and 659 Hill back up to one another. One question Staff has regarding the property on Tuskegee Street is how it relates to the other proposed demolitions. While the properties on Ormond and Atlanta back up to each other, the property at Tuskegee Street is not near the other properties and it appears the property could not be used as part of the proposed detention ponds and bioretention area. Staff suggests the Applicant clarify how the demolition of the single Tuskegee Street property relates to the other proposed demolitions.

Staff Recommendation: Staff recommends that the Commission deliver its comments to the Applicant at the Commission meeting regarding Application for a Review and Comment (RC-14-383) for demolition of a single family house at **271 Tuskegee Street**- Property is zoned R-5-C/Beltline.



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STAFF REPORT **December 10, 2014**

Agenda Item: Application for a Review and Comment (RC-14-384) for demolition of a single family house at 663 Langston Drive- Property is zoned R-5-C/Beltline.

Applicant: Henrietta Kisseih
1100 2nd Street, Stone Mountain

Facts: The property in question was built in 1945 and is potentially eligible for the National Register of Historic Places. The Watershed Management Department is proposing the demolition of 13 properties in the Peoplestown Neighborhood and 1 property in the Perkerson Neighborhood. All of the properties proposed for demolition are owned by the City of Atlanta. This application is for the demolition of a single property in the Perkerson Neighborhood.

Analysis: The following code sections apply to this application:
Per Section 6-4043 of the Atlanta City Code:

- (5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.
- (7) The commission shall review the alteration, demolition, movement or construction of any structures, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

The Applicant is proposing to demolish a single family dwelling in the Perkerson Neighborhood. According to the narrative in the application, this property has flooding issues due to storm water runoff and the proposed demolition is part of settlement terms between the property owners and the City of Atlanta. Given the costs involved in resolving storm water runoff issues, Staff finds it is likely that retention of the existing house is not feasible. As Staff does not have much information regarding this specific property, Staff suggests the Applicant provide additional information regarding the cause of the flooding problems on this property. Staff suggests the Applicant provide additional information regarding the feasibility of resolving the flooding issues without demolishing the existing building. If retention of the property is not feasible, Staff suggests the Applicant provide information regarding the proposal for the property once the demolition is complete.

Staff Recommendation: Staff recommends that the Commission deliver its comments to the Applicant at the Commission meeting regarding Application for a Review and Comment (RC-14-384) for demolition of a single family house at 663 Langston Drive- Property is zoned R-5-C/Beltline.



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STAFF REPORT **December 10, 2014**

Agenda Item: Application for a Review and Comment (RC-14-385) for demolition of single family houses at 175, 179, 195, 203 and 207 Ormond Street- Properties are zoned R-5-C/Beltline.

Applicant: Henrietta Kisseih
1100 2nd Street, Stone Mountain

Facts: The properties in question were built between 1920 and 2005. The properties at 179 and 207 Ormond are potentially eligible for the National Register of Historic Places. The Watershed Management Department is proposing the demolition of 14 properties owned by the City of Atlanta in the Peopletown Neighborhood. This application is for 5 properties on Ormond Street.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

(5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

(7) The commission shall review the alteration, demolition, movement or construction of any structures, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

In looking at the dates of construction for all 14 properties proposed for demolition, the majority of the properties were built in the 1920's and the 1940's. Only three of the properties would be considered non-historic. The majority of the properties proposed for demolition are located on Atlanta Avenue and Ormond Street. Staff would note Atlanta Avenue and Ormond Street are parallel and the properties proposed for demolition back up to each other. Given the number of historic buildings that have already been lost, Staff was initially very concerned regarding the potential for the demolition of more historic buildings. Staff spoke with the Department of Watershed Management to get clarification regarding why the buildings required demolition and whether there were any alternatives to demolition considered.

The area in question is located where two streams historically have come together and now where the sewer lines come together. The properties also sit significantly lower than the rest of the neighborhood. The neighborhood has been greatly impacted by the construction for the 1996 Olympic Stadium, continues to be impacted by run-off from Turner Field, the nearby surface parking lots and development near downtown. Whenever there is a significant amount of rainfall, over a short or long period of time, the area is flooded with both storm water and sewage. According to Watershed Management, this area has already been flooded several times this year. The properties in question are flood damaged houses and the proposed demolition is part of settlement terms between the property owners and the City of Atlanta for several lawsuits.

Staff inquired whether there is a solution that would prevent the area from being flooded with storm water and sewage, without demolishing the houses. The problem could be resolved, however the cost would be 200-300 million dollars versus a significantly lower amount for the proposed solution. Given the cost involved, Staff finds the solution to avoid demolition of the existing houses is not feasible.

If the properties cannot not be retained, Staff's next concern is what would ultimately happen with the vacant lots created. Watershed Management is proposing to resolve the flooding issue by using the vacant lots to create detention ponds and bioretention. Staff had concerns regarding whether this area could be used by residents as an amenity and ultimately what the area would look like. While the design of the detention ponds and bioretention area will ultimately be reviewed by the Commission as another City project. Watershed Management indicated they are looking at a solution similar to Fourth Ward Park with a possible design that would be inspired by Japanese sunken gardens. Watershed Management has indicated they have already been meeting with the neighborhood regarding potential designs of the detention pond and bioretention area.

In general, Staff finds the retention of historic buildings in the Peoplestown neighborhood is important. Staff finds the properties at 175, 195 and 203 Ormond are less than fifty years old and therefore are not historic. As the properties at 179 and 207 Ormond were built in 1920, Staff finds the demolition of those properties will be a significant loss of historic fabric and a detriment to the neighborhood. However, given the information we have at this time, Staff finds retention of the existing properties is not feasible, nor would it allow for a comprehensive solution to the flooding problem. Staff finds the proposed demolitions are warranted.

Staff Recommendation: Staff recommends that the Commission deliver its comments to the Applicant at the Commission meeting regarding Application for a Review and Comment (RC-14-385) for demolition of single family houses at **175, 179, 195, 203 and 207 Ormond Street**- Properties are zoned R-5-C/Beltline.



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STAFF REPORT **December 10, 2014**

Agenda Item: Application for a Review and Comment (RC-14-387) for demolition of single family houses at 178, 188, 198, 202, 206 and 219 Atlanta Avenue- Properties are zoned R-5-C/Beltline.

Applicant: Henrietta Kisseih
1100 2nd Street, Stone Mountain

Facts: The properties in question were built between 1920 and 1940. The properties in question are all potentially eligible for the National Register of Historic Places. The Watershed Management Department is proposing the demolition of 14 properties in the Peoplestown Neighborhood. This application is 6 properties on Atlanta Avenue.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

(5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

(7) The commission shall review the alteration, demolition, movement or construction of any structures, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

In looking at the dates of construction for all 14 properties proposed for demolition, the majority of the properties were built in the 1920's and the 1940's. Only three of the properties would be considered non-historic. The majority of the properties proposed for demolition are located on Atlanta Avenue and Ormond Street. Staff would note Atlanta Avenue and Ormond Street are parallel and the properties proposed for demolition back up to each other. Given the number of historic buildings that have already been lost, Staff was initially very concerned regarding the potential for the demolition of more historic buildings. Staff spoke with the Department of Watershed Management to get clarification regarding why the buildings required demolition and whether there were any alternatives to demolition considered.

The area in question is located where two streams historically have come together and now where the sewer lines come together. The properties also sit significantly lower than the rest of the neighborhood. The neighborhood has been greatly impacted by the construction for the 1996 Olympic Stadium, continues to be impacted by run-off from Turner Field, the nearby surface parking lots and development near downtown. Whenever there is a significant amount of rainfall, over a short or long period of time, the area is flooded with both storm water and sewage. According to Watershed Management, this area has already been flooded several times this year. The properties in question are flood damaged houses and the proposed demolition is part of settlement terms between the property owners and the City of Atlanta for several lawsuits.

Staff inquired whether there is a solution that would prevent the area from being flooded with storm water and sewage, without demolishing the houses. The problem could be resolved, however the cost would be 200-300 million dollars versus a significantly lower amount for the proposed solution. Given the cost involved, Staff finds the solution to avoid demolition of the existing houses is not feasible.

If the properties cannot not be retained, Staff's next concern is what would ultimately happen with the vacant lots created. Watershed Management is proposing to resolve the flooding issue by using the vacant lots to create detention ponds and bioretention. Staff had concerns regarding whether this area could be used by residents as an amenity and ultimately what the area would look like. While the design of the detention ponds and bioretention area will ultimately be reviewed by the Commission as another City project. Watershed Management indicated they are looking at a solution similar to Fourth Ward Park with a possible design that would be inspired by Japanese sunken gardens. Watershed Management has indicated they have already been meeting with the neighborhood regarding potential designs of the detention pond and bioretention area.

In general, Staff finds the retention of historic buildings in the Peoplestown neighborhood is important. Staff finds the demolition of the properties on Atlanta Avenue will be a significant loss of historic fabric and a detriment to the neighborhood. However, given the information we have at this time, Staff finds retention of the existing properties is not feasible, nor would it allow for a comprehensive solution to the flooding problem. Staff finds the proposed demolitions are warranted.

Staff Recommendation: Staff recommends that the Commission deliver its comments to the Applicant at the Commission meeting regarding Application for a Review and Comment (RC-14-387) for demolition of single family houses at 178, 188, 198, 202, 206 and 219 Atlanta Avenue- Properties are zoned R-5-C/Beltline.



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STAFF REPORT December 10, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-388) for alterations and addition at **499 Glenwood Avenue**. - Property is zoned R-5 / Grant Park Historic District (Subarea I).

Applicant: Rafaela Moura
682 Park Drive

Facts: The 1900s contributing building appears to be relatively unaltered from its original configuration, though there appears to be several additions / alterations at the rear of the property. The house sits on the southeast corner of Glenwood Avenue and Loomis Avenue. The property drops slightly from front to back. The Applicant proposes to:

1. Remove the two previous alterations / additions at the rear of the house that are farthest from Loomis Avenue;
2. Repair any existing siding with “clad wood”;
3. Install a new “front exterior door”;
4. Construct a rear addition with a hipped roof equal to the height of the rear portion of the house with a double garage at the ground level facing the rear of the property;
5. Construct a driveway to the rear-facing garage; and
6. Install a 36 in. picket fence.

Given the District regulations, none of the alterations or additions to the interior side and rear facades of the house or addition are subject to review by the Commission. There are basic requirements for the other alterations, addition, garage, driveway, and fence.

Analysis: The following code sections apply to this application:
Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

(1) *General Criteria.*

- a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
- c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.

(2) *Certificates of Appropriateness.*

- c. Type III Certificates of Appropriateness shall be required for:
 - 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
- d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

Section 16-20K.007. Specific Regulations - Residential Subarea I

(1) *Development Controls.*

- a. *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
- b. *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.
- c. *Rear Yard:* Rear yard setback shall be seven feet.
- d. *Off-street parking and driveway requirements:*
 - 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.

(2) *Architectural Standards.*

- A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

B. *Design Standards and Criteria for New Principal Structures.*

- 1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
- 5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
- 6. The height of the principal structure shall not exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
- 8. Garages entrances are prohibited on the front façade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
- 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
- 14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four feet in height may be erected in a front yard. Other than retaining walls, walls shall not be erected in a front yard or a half-depth front yard.

- b. Fences and walls not exceeding six feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
- a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
- (D) Design Criteria for Alterations and Additions to Contributing Structures. Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:
- 1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
 - 2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

Overall Documentation Concerns

The Staff is concerned that the materials submitted for the proposal are unclear or not internally consistent. For example, the small version of the elevations includes a whited-out garage entrance on the Loomis Avenue façade, which is not permitted by the District regulations. As noted later in the Staff Report, the narrative description is unclear and the materials are not noted on the plans. The foot print of the addition shown on the site plan (recessed in from the last section of the house) does not match that shown on the floor plan (projects out from the last section of the house).

The Staff would recommend that all the materials associated with the proposal are clear and internally consistent.

Remove the two previous alterations / additions at the rear of the house that are farthest from Loomis Avenue.

The Staff has no concerns about the removal of the two previous additions as it finds that the partial demolition will not result in the loss of significant architectural features which destroy the structure's historic interpretability or importance. While it is likely that one of the additions being removed was actually an enclosed rear porch, given the extent of the alterations to make it as such, its removal would not remove any extensive, intact historic fabric.

Repair any existing siding with "clad wood"

It is not clear if the existing siding on the existing house will be repaired or if this refers to the siding on the proposed addition. It is also not clear what "clad wood" is and what material will be the exposed finish material on the siding. The Staff would recommend the Applicant clarify the siding work. The Staff would also recommend that any siding repair or replacement on the existing house be limited to

visibly damaged or deteriorated siding and such siding be repaired or replaced in-kind as to material, size, and profile.

Install a new “front exterior door”.

The narrative notes “front exterior door – craftsmen solid wood door”, but doesn’t clarify if this is the existing door, the proposed door, or if it refers to a door on the addition. The proposed front elevation notes no changes to the front elevation. The Staff would recommend the Applicant clarify the proposal for the front exterior door.

Construct a rear addition with a hipped roof equal to the height of the rear portion of the house with a double garage at the ground level facing the rear of the property.

The lot coverage resulting from the construction of the addition (and driveway) appears to meet the underlying zoning requirements. There is no floor area ratio calculation included in the submission, though the resulting floor area ratio would appear to meet the underlying zoning requirements.

Regarding the setbacks of the proposed addition, the interior side and rear yard setbacks meet the District regulations. While the front yard setback to Glenwood Avenue is not applicable, the setback to Loomis Avenue is applicable, is governed by the District regulations, and would be based on the setback on the existing house. While the Staff has raised concerns about the final location of the addition in relation to the existing house, given that Loomis Street curves away from the existing house, the addition is likely to meet the District regulations regardless of its final location. The Staff would recommend the Applicant confirm, based on the final location of the addition, that the Loomis Avenue setback meets the District regulations.

The Staff has no concerns about the height, massing, and placement of garage doors on the proposed addition. The height of the addition is substantially lower than the main roof of the existing house and the massing is compatible with rectangular massing of the existing house. The garage door on the rear façade also meets the District regulations, though it is not clear if it will be one, large door or two smaller doors. However, the Staff does have concerns about the addition. It is not clear what all of the materials of the addition will be, including the siding, roofing, basement walls and trim. The foundation of the addition is not defined and it is not clear if the delineation of the basement will be compatible with the existing house. The Staff would recommend the Applicant clarify the proposed exterior materials of the addition and that such materials meet the District regulations as to the material itself and its location.

Further, there is no fenestration shown on the Loomis Avenue side of the addition, which creates a long and tall expanse of blank wall. The Staff would recommend that the addition have fenestration on its Loomis Avenue façade that meets the District regulations.

Lastly, the roof pitch of the proposed addition is not specified. The Staff would recommend the Applicant clarify the roof pitch of the addition and such roof pitch shall meet the District regulations.

Construct a driveway to the rear-facing garage.

Notwithstanding any concerns about the addition and garage noted above, the proposed driveway can only be 10 ft. wide until it reaches the rear yard, which in this case would be the yard directly behind the house. The proposed driveway is about 8 ft. wide until it widens behind the house to allow access to the garage. The concrete material also meets the District regulations.

Install a 36 in. picket fence.

Fences must be reviewed under a separate Type II Staff Review Certificate of Appropriateness process. If the fence meets the District regulations (generally speaking, a wood 3 ft. tall picket fence would meet the District regulations), then it could be approved through that process as well.

Staff Recommendation: Based upon the following:

1. Except as noted above, the proposal meets the District regulations, per Section 16-20K.006 and 16-20K.007.

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-14-388) for alterations and addition at **499 Glenwood Avenue** - Property is zoned R-5 / Grant Park Historic District (Subarea 1), with the following conditions:

1. All the materials associated with the proposal shall be clear and internally consistent;
2. The Applicant shall clarify the siding work, per Section 16-20K.007(2)(D);
3. Any siding repair or replacement on the existing house shall be limited to visibly damaged or deteriorated siding and such siding shall be repaired or replaced in-kind as to material, size, and profile, per Section 16-20K.007(2)(D);
4. The Applicant shall clarify the proposal for the front exterior door, per Section 16-20K.007(2)(D);
5. The Applicant shall confirm, based on the final location of the addition, that the Loomis Avenue setback meets the District regulations, per Section 16-20K.007(1)(a);
6. The Applicant shall clarify the proposed exterior materials of the addition and that such materials shall meet the District regulations as to the material itself and its location, per Section 16-20K.007(2)(D) and 16-20K.007(2)(B)(15);
7. The addition shall have fenestration on its Loomis Avenue façade that meets the District regulations, per Section 16-20K.007(2)(D) and 16-20K.007(2)(B)(14);
8. The Applicant shall clarify the roof pitch of the addition and such roof pitch shall meet the District regulations, per Section 16-20K.007(2)(D) and 16-20K.007(2)(B)(5); and
9. The Staff shall review, and if appropriate approve, the final design and supporting documentation.



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STAFF REPORT
December 10, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-389) for a stair addition at 1138 St. Louis Place - Property is zoned R-4/Atkins Park Historic District.

Applicant: Mary Turnipseed
659 Auburn Avenue

Facts: According to the Atkins Park Historic District Survey, this single family dwelling was built in 1924 and is considered contributing to the District. It has a side gable roof form, with a full lower story exposed to the rear of the property. The property drops off significantly to the rear. The Applicant proposes to add a stoop and set of stairs to the left side of the house (the driveway side) to reach that lower level and add a lower level deck behind the house. The lower level deck will become a part of an existing deck system at the back of the house. The stoop and stairs will be accessed via a new door that will replace an existing window on rear façade of a projection to the house on the main level. There are no changes proposed to the front façade and no other changes proposed to the side and rear facades.

Analysis: The following code sections apply to this application:

Sec. 16-200.005. - Definitions.

For purposes of interpreting this Chapter 200, the following definitions shall apply.

- (5) Deck means a roofless platform and adjoining deck stairs connected to a house, generally made of unfinished wood and supported by posts.

Per Section 16-200.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Atkins Park Historic District.

(1) Certificates of Appropriateness:

- (E) Type III certificates of appropriateness shall be required for:
(ii) All major alterations and additions to existing structures.

(7) Compatibility rule.

- (A) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, or the district as a whole. Synthetic materials may be used if visually indistinguishable from the

original materials. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face or, where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face."

- (B) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."

Sec. 16-200.007. Specific Regulations.

The following regulations shall apply to all properties located within the Atkins Park Historic District.

(1) Development controls for principal structures.

- (A) Front yards: The front yard setback of principal structures shall meet the compatibility rule.
(B) Side yards: The side yard setbacks of principal structures shall meet the compatibility rule. All new construction and additions shall maintain a minimum of three feet for side yards setbacks where the compatibility rule would permit otherwise.
(C) Rear yard: The rear yard setback of principal structures shall be a minimum of 15 feet.

(2) Architectural Standards for Principal Structures.

Architectural standards for principal structures shall apply to front facades, side facades, and half-depth front facades visible from core residential streets only.

- (A) All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
(B) Building height and width: The compatibility rule shall apply to the height and width of the principal structure. In no case shall the height of a structure exceed 35 feet from grade.
(I) Windows and doors. Fenestration, if visible from a core residential street upon completion, shall meet the following requirements:
(i) The compatibility rule shall apply to the style, size, shape and overall pattern of fenestration.
(ii) Windows on the front façade shall be predominantly vertical.
(iii) Exterior doors and door transoms shall be appropriate to the house style, regarding design, size, dimension, and location on the building.
(K) Decks, balconies and upper level terraces:
(i) Decks shall be permitted only when located to the rear of the principal structure and shall be no wider than the width of the house. Decks shall be permitted at any level.
(ii) Balconies and upper level terraces shall be permitted on any façade, provided it is consistent with the architectural style of the house.
(L) Ornamentation: Installation of architectural ornaments, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps, doors, half-timbering, and attic vents, where none previously existed shall be permitted and shall be subject to the compatibility rule.
(3) Maximum floor area ratio: The floor area ratio shall not exceed 50 percent of the total lot area.
(4) Maximum lot coverage: Lot coverage shall not exceed 50 percent of total lot area.

Sec. 16-200.009. Design criteria for alterations and additions to contributing structures.

Alterations and additions to contributing structures requiring a certificate of appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

- (A) Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for architectural standards for principal structures set forth in subsection 16-200.007(2) above; or
(B) New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale, materials, and architectural features of the property and environment.

Previous the submission of the application, the Staff concluded that the proposal should be considered a stair addition vs. a deck because the flat portion of the stair structure is only the size needed for a landing or additional stairs and the flat portion will not otherwise provide any usable gathering space.

The proposed stair addition maintains the just over 7 ft. setback on the driveway side of the house and doesn't affect the opposite side yard setback. The stair addition is considerably more than 14 ft. away from the rear property line. As such, the Staff finds that the proposed stair addition meets the District regulations regarding setbacks.

Given the stair addition is built on top of the existing driveway and is not enclosed space, it will not change the lot coverage or floor area ratio of the property.

Given that the existing house is contributing to the District and the stair addition does not change the roof line or height of the house, the Staff finds that the height of the proposed addition meets the District regulations regarding building height.

As for the replacement of the rear-facing window with a door, the Staff finds that this portion of the house was an unenclosed side porch that lead to a previously existing set of stairs as evidenced by the ghost marks along the outside wall. As such, the Staff finds that the replacement will not destroy historic materials, will be differentiated from the original portions of the structure, and will be compatible with the massing, size, scale, materials, and architectural features of the house. As such, it will meet the District regulations.

For the same reasons, the Staff generally finds the design of the proposed stair and extended set of steps on the bottom of the stair run will also meet the District regulations. However, while the Staff finds that the use of the painted metal is more compatible than un-painted or un-wrapped pressure treated wood, it is not aware of metal stairs on other houses in the District or previously existing on this house. All of other original porch and stair related elements of the house are wood or masonry, as would be expected for other stair-related elements on the house. The Staff does not find that the metal is compatible with the materials of the existing house or that it reinforces the historic architectural character of the existing house.

The Staff would recommend the Applicant document that the metal stairs meet the District regulations or the stairs are constructed of wood in a design that meets the District regulations.

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-14-389) for a stair addition at 1138 St. Louis Place - Property is zoned R-4/Atkins Park Historic District.t, with the following conditions:

1. The Applicant shall document that the metal stairs meet the District regulations or the stairs shall be constructed of wood in a design that meets the District regulations, per Section 16-200.009;
2. The Staff shall review, and if appropriate approve, the final elevations, specifications, and architectural details.



KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT
December 10, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-391 for a lot aggregation at 131 and 159 Walker St. - Property is zoned Castleberry Hill Landmark District (Subarea 1)).

Applicant: Jerome Russell
504 Fair St.

Facts: Castleberry Hill, located in the southwest Central Business District, is an area that is significant primarily for its important collection of modest, late 19th and early 20th century commercial, warehouse, and industrial buildings. These buildings range in size from small, one- and two-story retail store fronts to large, single-tenant factories and warehouses. Since the 1980s, many of these buildings have been rehabilitated and converted to loft apartments and condominiums, studios, retail and restaurants, and art galleries.

The two properties proposed for aggregation into one lot are located on the west side of Walker Street between Nelson Street and Haynes Street and constitute the entire triangular block bounded by these three streets. The two properties are the subject of two companion applications involving site work, renovations, additions, and variances for tree wells and outdoor dining.

Analysis: The following code sections apply to this application:

Per Section 16-20N.005. Certificates of appropriateness.

4. Type III certificates of appropriateness shall be required for:

- (a) Construction of all new principal structures;
- (b) All major alterations and additions to an existing principal structure, including all major alterations and additions to the roofs of principal structures.

Per Section 16-20N.006. General Regulations.

The following general regulations shall apply to all properties located within the District.

1. In the District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20N do not specifically address the application or any portion of the application:

- (a) The historic character of a property shall be retained and preserved.
- (b) The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.

- (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historic development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
 - (k) Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20L.007 or section 16-20L.008, as applicable.
 - (l) The height of a structure shall be measured on the façade facing the public street and measurement shall be taken from the highest point of such grade to the top of the parapet wall.
6. Aggregation of lots. No lots shall be aggregated except upon approval of the commission. Applications shall be made to the commission. The commission shall find that the resulting lots are so laid out that buildings that are compatible in design, proportion, scale, and general character of the subarea, and the district as a whole, may be reasonably situated and constructed upon such lots.

The Staff finds that the resulting lot would be laid out such that buildings that are compatible in design, proportion, scale, and general character of the subarea, and the district as a whole, may be reasonably situated and constructed upon the lot. There are not minimum or maximum lots sizes in the District. Further, the Staff would note that having one lot on a given block does not constrain potential development any more so that would already be potentially constrained by the District regulations for the two existing lots. In fact, some additional flexibility might be introduced to potential development options.

The Staff would add that as is already the case with the subject lots, any construction activity on the resulting lot would need to still go through the proper certificate of appropriateness review by the Commission regardless of the lot configuration. The new lot configuration would not substantively necessarily change the type of review process required for the currently proposed projects.

Staff Recommendations: Based upon the following:

- a) The lot aggregation meets the District regulations, per Section 16-20N.006(6).

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-14-391) for a lot aggregation at 131 and 159 Walker St. – Properties are zoned Castleberry Hill Landmark District (Subarea 1).

December 8, 2014

Re: CA4ER-14-301 Type IV Certificate of Appropriateness – Unreasonable Economic Return

Proposed Partial Demolition at 186, 204, and 206 Edgewood Ave and 10 and 20 (aka 22) Jesse Hill Jr Dr
(Commercial Buildings in the Martin Luther King Jr Landmark District)

City of Atlanta Urban Design Commission:

The economic review panel has received all of the evidence and documentation presented in the initial application, the initial public hearing, and the further evidence provided by the applicant. The panel has reviewed the evidence and makes the following report.

The appraisal provided with the application is four years old. Beyond the general effects of time, two significant changes that may affect the estimated value are the MLK Jr Landmark District zoning update and the construction of the Atlanta Streetcar. Although the panel believes a mixed-use project including student housing may be the highest and best use of this property, the evidence does not show that the property has been marketed or that alternative uses have been considered that may allow construction without the partial demolition of the contributing structures.

The application includes documentation from a licensed engineer stating that the gymnasium portion of the YMCA Boys Branch “cannot be economically repaired and needs to be demolished.” The engineer does not report any concerns regarding the soundness of the existing Haverty’s Building but does state that upgrades will be required to use the building as planned and that the partial demolition “could likely be more economical than retrofitting the entire existing structure.” While the panel concurs that demolition may be necessary for the gymnasium, without further documentation for the interior of the Haverty’s Building and analysis of alternative uses, the panel believes that it may be possible to service the site and connect the loading and trash areas to the rest of the site without requiring demolition.

The evidence shows that the “no demolition” alternative diminishes the economic value as to render the project unfeasible due to an inability to service the building and not financeable due to a reduced bed and parking count. However, the panel questions some of the calculations and assumptions and believes that the site may be able to yield a higher bed count and more rental commercial space if modifications were made to the proposed plans such maximizing the utilization of the Edgewood frontage, reducing the ratio of baths to beds, and relocating portions of the student activity space elsewhere to create more retail space. The panel also believes that the project, given its location and student demographics, may be feasible with a parking count that is significantly less what is typical for most student housing developments in non-urban markets.

Although no economic incentives or funding are guaranteed, the panel believes that further exploration of alternatives is warranted.

In summary, the economic review panels finds that the proposed project has significant merit and would provide economic benefit, but the evidence and documentation as *currently* presented does not establish that the site is incapable of earning a reasonable economic return in relation to the standards and criteria set forth in the ordinances.

Regards,

A handwritten signature in black ink, appearing to read 'Kyle Kessler', with a stylized, flowing script.

Kyle Kessler

p.p. John Isakson

p.p. Jerrold Miller



KASIM REED
MAYOR

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STAFF REPORT
December 10, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-300 for a new multi-family building at **186, 204, and 206 Edgewood Avenue and 10-20 Jessie Hill Drive** - M. L. King, Jr. Landmark District (Subarea 4).

Applicant: Cecil Philips – Place Properties
3445 Peachtree Street

Facts: The project involves several properties, some of which are vacant (facing Edgewood Avenue) and three of which have existing, contributing buildings on them as follows:

20 Jessie Hill, Jr. Drive (YMCA Boys Branch Building) – Part of the Butler Street YMCA complex of buildings, this is a two-story, brick building with simple windows, doors, and cast concrete trim.

10 Jessie Hill, Jr. Drive (Hill Haverty Building) - This is a two-story, brick building with two, bricked-in storefronts on the ground floor and two, multiple-pane, metal window panels above .

206 Edgewood Avenue (Edgewood Haverty Building) – This is very similar in materials, fenestration pattern, and detailing to 212 Edgewood Avenue, except that the storefronts and upper story windows have been replaced with modern components. Although it has the same number of floors as 212 Edgewood Avenue, its parapet wall extends slightly above the adjacent building.

212 Edgewood Avenue (at the very corner of Jesse Hill Jr. Drive and Edgewood Avenue) is not included in the project.

From 2005 to 2012, the Commission reviewed and approved with various conditions other projects for this site, which included the review of the consolidation of the formerly separate lots in 2012.

The Staff would add that since the Commission's previous reviews related to this property from 2055 to 2012, the City has adopted comprehensive revisions to the District regulations (via Z-14-09) that would apply to this new project. This would include the inclusion of the Edgewood Avenue corridor and the Auburn Avenue corridor in one Subarea 4, combining the former Subareas 4 and 5.

The project before the Commission at this time is a completely new proposal with a new design and program that consists of:

1. A new, 6-story multi-family building above a underground parking deck with commercial uses at the sidewalk level;
2. Demolition of the rear portion of 206 Edgewood Avenue and renovation of the remaining portion into leasable / usable space;
3. Demolition of the rear portion of 20 Jessie Hill, Jr. Drive and renovation of the remaining portion into leasable / usable space;
4. Renovation of 10 Jessie Hill, Jr. Drive into a loading dock area; and
5. General streetscape improvements.

There has been a companion application for the partial demolition of the rear of two of the three contributing buildings via CA4PH-14-301.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

The following general regulations shall apply to all properties within the Martin Luther King, Jr. Landmark District, except where otherwise stated.

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
 - a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.

- b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - ii. On contributing buildings on the same block in Subareas 3 and 4.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
 - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. Certificates of Appropriateness.
- a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - iii. No certificate of appropriateness shall be required to repaint any structure or portion thereof, or, to make ordinary repairs and maintenance using in-kind materials.
 - c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
10. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).

Sec. 16-20C.005. Permitted Principal Uses and Structures.

- 1. Permitted Principal Uses and Structures: The following permitted uses and restrictions apply to all Subareas within this District, except Subarea 5:
 - a. The permitted principal uses and special permit uses set forth in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be permitted only as listed within each Subarea within said table of uses and only in the manner so listed.
 - b. Permitted principal uses. A building or premises shall be used only for the principal uses indicated with a "P" in Table 1: Martin Luther King Jr. Landmark District Table of Uses, subject to further restrictions where noted.
- e. Prohibited uses.
 - i. All uses marked with an "X" in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be prohibited in the Subarea(s) identified unless otherwise authorized in subsection 16-20C.005(2) or (3) below. All uses not listed in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be prohibited in all district Subareas unless otherwise authorized in subsection 16-20C.005(2) or (3) below.
 - ii. No use or manner of operation shall be permitted which is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate matter, or interference with radio or television communication, or is otherwise incompatible with the character of the district and its relation to adjoining districts.
 - iii. Use of heavy drop hammers, punch presses or other machinery, or processing methods creating an excessive noise or vibration is prohibited in this district, subject to the provisions in chapter 74, article IV, noise control.

TABLE 1: MARTIN LUTHER KING JR. LANDMARK DISTRICT TABLE OF USES	SUBAREA 1 Auburn Ave Res	SUBAREA 2 Residential	SUBAREA 3 Institutional	SUBAREA 4 Auburn/Edgewood Commercial
RESIDENTIAL and DWELLING USES				
Assisted living facilities	X	X	SUP	SUP
Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use	X	X	X	P
Multi-family dwellings	X	X	P	P
Personal care homes	P	P	P	P
Single-family dwellings	P	P	P	P
Supportive housing	X	X	P	P
Two-family dwellings	P	P	P	P
NON-RESIDENTIAL USES				
Auditoriums, museums, libraries, galleries and similar cultural facilities	X	P *	P	P
Bakeries and catering establishments	X	P *	X	P
Banks, savings and loan associations, and similar financial institutions	X	X	X	P
Barber shops and beauty shops	X	P *	X	P
Bed and breakfast inns	X	P #	P	P
Business or commercial schools	X	X	X	P
Business service establishments, including those providing duplicating, printing, maintenance, communications, addressing, mailing, bookkeeping, or guard services	X	X	X	P
Child care centers, kindergartens and special schools	X	X	X	P
Churches, synagogues, temples, mosques, other places of worship	X	P ^	P	P
Clubs and lodges	X	X	P	P
Commercial recreational establishments, including theaters, convention halls, places of assembly and similar uses, with primary activities conducted within fully enclosed buildings	X	X	P	P
Digital industry switchboards, relay equipment, and associated power generators as principal uses	X	X	X	X
Drive-in and drive-through facilities	X	X	X	X
Eating and drinking establishments	X	P *	X	P
Farmers markets	X	X	P	P

Grocery stores	X	P ^	X	P
Hospitals	X	X	X	P
Hotels and motels	X	X	P	P
Laundry and dry cleaning, collection stations or plants, limited to no more than 5,000 square feet of floor area; laundry and dry cleaning where equipment is operated by customers	X	X	X	P
Manufacturing, repairing not including automobiles or heavy machinery, compounding, assembly, processing, preparation, packaging or treatment of articles, foods, components, products, clothing, machines and appliances and the like, where character of operations, emissions and byproducts do not create adverse effects beyond the boundaries of the property	X	P *	X	P
Market Gardens	X	X	P	P
Mortuaries and funeral homes	X	X	X	SEP
Offices and studios	X	P *	P	P
Clinics (including veterinary), laboratories, studios and similar uses, but not blood donor stations	X	X	X	P

Park-for-hire surface parking lots	X	X	SUP @	SUP @
Park-for-hire parking structures	X	X	P	P
Poolrooms, billiard parlors	X	X	X	SEP
Printing and blueprinting shops	X	X	X	P
Professional or personal service establishments but not hiring halls	X	P *	X	P
Public schools or private schools having similar academic curricula and special schools for exceptional children	X	X	P	X
Rehabilitation centers, nursing homes	X	X	SUP	SUP
Repair establishments for home appliances, bicycles, lawn mowers	X	X	X	P
Retail establishments, including delicatessens	X	P *	X	P
Roof antennas	X	X	P %	P %
Service stations	X	X	X	P
Shelter	X	X	SUP	SUP
Structures and uses required for operation of MARTA or of a public utility, except uses involving storage, train yards, warehousing, switching, or maintenance shop as the primary purpose	X	X	P	X
Tailoring, custom dressmaking, millinery and	X	P *	X	P

similar establishments limited to not more than 5000 square feet in area				
Temporary commercial activities	X	X	X	P
Trade schools, colleges, universities	X	X	X	P
Urban Gardens	SAP ^{&}	SAP ^{&}	P	P
NOTES				
# Bed and breakfast uses in Subarea 2 shall comply with the use restrictions of 16-20C.005(2)(b).				
@ Park-for-hire surface parking lots shall comply with the use restrictions of 16-20C.005(3)(c).				
% Roof antennas and similar uses shall comply with the use restrictions of 16-20C.005(3)(d).				
* Limited to location set forth in 16-20C. 005(2)(c) and further limited to a maximum size of 2,000 square feet for each individual use.				
^ Limited to location set forth in 16-20C. 005(2)(c) and further limited to a maximum size of 4,000 square feet for each individual use.				
& On an undeveloped lots.				

3. The following additional Permitted Principal Use and Structures provisions shall apply to Subareas 3 and 4.
 - a. Except as otherwise herein provided, no merchandise shall be stored other than that to be sold at retail on the premises; and no storage for such merchandise shall occupy more than 40 percent of the floor area on the premises. No off-premises storage of such merchandise shall be permitted in the district as either a principal or accessory use.
 - b. Veterinary offices. Veterinary office and clinics shall keep animals in sound-proofed buildings, laboratories, and studios (authorized in Subarea 4 only).

Sec. 16-20C.006. Lot Controls and Building Heights.

2. The following Lot Controls and Building Heights provisions shall apply to Subareas 3 and 4.
 - a. Building heights.
 - i. Maximum building heights shall be permitted up to a maximum of one and one-half (1.5) times the height permitted utilizing the compatibility rule, provided that:
 - (1) For property located east of Interstate 75/85, no building shall be permitted to exceed a maximum height of 55 feet.
 - (2) For property located west of Interstate 75/85, no building shall be permitted to exceed a maximum height of 68 feet.
 - ii. The building heights permitted in this subsection are intended to be the maximums authorized but are subject to further compatibility restrictions under other provisions of this district relative to building form, scale, massing and materials.
 - iii. Notwithstanding the height requirements of these subareas, previously existing structures in existence before 1967 but no longer in existence may be reconstructed to their original footprints and height where the applicant shows by archived evidence or sworn affidavit(s), and the Commission finds, that such structural dimensions previously existed on the proposed site.

Sec. 16-20C.007. Sidewalks, Yards and Open Space.

1. The following Sidewalks, Yards and Open Spaces provisions shall apply to Subareas 1 through 4.
 - a. Sidewalks.
 - i. Public sidewalks shall be located along all public streets and shall consist of two (2) zones: an amenity zone and a walk zone.
 - ii. The amenity zone shall be located immediately adjacent to the curb with a consistent cross-slope not to exceed two (2) percent. Width shall be measured from back (building side) of curb to the walk zone. This zone is reserved for the placement of street trees and street furniture including utility and light poles, public art, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be of a type specified by the director in accordance with uniform design standards for placement of such objects in the public right-of-way.
 - iii. The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape, with a consistent cross-slope not exceeding two (2) percent. No fixed elements, including pole

mounted signage, traffic control boxes or other utility structures, shall be placed above ground in the walk zone for a minimum height of eight (8) feet.

- iv. New sidewalks and their corresponding zones shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new amenity zone shall be a minimum of two (2) feet wide and the new walk zone shall be a minimum of five (5) feet wide.
- v. Street trees shall be planted a maximum of 30 feet on-center within the amenity zone and shall be spaced equal distance between street lights.
- vi. Any existing decorative hardscape treatment of sidewalks, including amenity zone or walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape and color.
- vii. Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equidistant between required trees. Where installed, said lights shall be located within the amenity zone. Said lights shall be as approved by the Director. New developments shall match the light and tree spacing on blocks where existing Atlanta Type lights are installed.
- viii. Changes or additions of planters, trash containers, street lighting, and similar elements, shall require a Certificate of Appropriateness by the Commission.
- ix. Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.

c. Required Open Space.

- i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.
- ii. Required Usable Open Space shall be provided equal to five (5) percent of the total floor area dedicated to multi-family use.

3. The following additional Yards provisions shall apply to Subareas 3 and 4.

- a. Front, Rear and Side Yards. All front, rear and side yards for this Subarea shall be established through the compatibility rule, except that zero-lot-line side yards shall be permitted as a minimum side yard allowance regardless of the compatibility rule application.

Sec. 16-20C.008. Design Standards.

1. The following Design Standards provisions shall apply to Subareas 1 through 4.

a. Building Compatibility.

- i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
- ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
- iii. Fiberglass roofs shall be prohibited.

b. Fenestration.

- i. The compatibility rule shall apply to the following aspects of fenestration:
 - (1) The style and material of the individual window or door.
 - (2) The size and shape of individual window and door openings.
 - (3) The overall pattern of fenestration as it relates to the building façade.
 - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
- ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
- iii. Except as otherwise provided in 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.

c. Landscaping.

- i. A landscape plan may be required by the Commission to mitigate the environmental and visual impacts of construction on adjoining properties. The Commission may require that plant materials in a landscape plan reflect the character of the district.
- ii. Tree preservation and replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Sec. 158-26 et seq., shall apply to this district.

d. Loading Areas, Loading Dock Entrances, and Building Mechanical and Accessory Features for All Non-Residential Uses.

- i. All dumpsters shall be concealed with walls six (6) feet in height and constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco and shall not be visible from any public street.
 - ii. Loading docks and loading areas shall not be permitted on the primary façade of a principal building.
 - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
 - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible from any public street.
 - v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
3. The following Design Standards provisions shall apply to Subareas 3 through 4.
- a. Facades.
 - i. Building materials for the façades of principal structures shall be determined by the compatibility rule. Concrete block and other masonry materials may be used on façades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any façade.
 - ii. Covering of the original façade shall not be permitted.
 - iii. Painting of unpainted building materials and masonry is prohibited.
 - iv. All cleaning of stone, terra cotta, and brick shall be done with low-pressure water and mild detergents.
 - v. All repairs to original mortar shall be compatible with the existing mortar material in strength, composition, color and texture. Original mortar joints shall be duplicated in width and in joint profile.
 - vi. Cornice lines shall cap all building facades and shall consist of sheet metal, brick, cast concrete or terra cotta materials.
 - b. Active uses (See Sec. 16-20C.005(3)(e))
 - i. Active uses shall be provided within buildings and parking structures for the entire length of said building façade except ingress and egress points into parking structures or loading areas.
 - ii. Active uses shall be provided for a minimum depth of 20 feet, as measured from the sidewalk-level building façade.
 - c. Fences and walls.
 - i. All fences and walls shall require a Certificate of Appropriateness by the Director of the Commission. Barbed wire, razor wire and chain link or similar elements are prohibited.
 - ii. Fences and walls are not permitted in front yards or where otherwise visible to public view as determined by the Director of the Commission.
 - iii. Fences and walls shall be permitted only to a total combined height of six (6) feet.
 - d. Fenestration.
 - i. A minimum of 60 percent of the length of the building façade shall contain fenestration.
 - ii. Sidewalk-level development without fenestration shall not exceed a maximum length of 10 feet of façade.
 - iii. Subject to the compatibility rule, glass block may be used for door surrounds and transoms.
 - e. Illumination and Security Features.
 - i. Security, decorative, and other lighting shall minimize light spillage by providing cutoff luminaries that have a maximum 90-degree illumination. The Commission may also require other elements to reduce light spillage.
 - ii. Any security, decorative, or other lighting luminaries shall be located a minimum height of eight (8) feet above the sidewalk, drive, or pedestrian area.
 - iii. External storefront security grilles, gates and security doors must be fully retractable during business hours. Such devices shall provide visibility into the interior of protected space when in use, and shall be prohibited from being opaque.
 - iv. Any external security grills, gates and security doors must be compatibly integrated into and concealed by the overall architecture and architectural patterns and elements of the façade on which they are located.
 - f. Awnings and Canopies.
 - i. Original awnings and canopies shall be retained.
 - ii. Replacement awnings or canopies are permitted only when original awnings or canopies cannot be rehabilitated.
 - iii. Awnings and canopies must have a minimum clearance of eight (8) feet above the sidewalk level, and shall not encroach more than five (5) feet over the public sidewalk.

- iv. Installation of new canopies upon contributing structures shall be designed in a manner that is compatible with the design, materials and general character of canopies from the time period of historical significance for the structure.
- v. Installation of new canopies upon non-contributing structures shall be designed in a manner that is compatible with the design, materials and general character of canopies from the time period of historical significance for the district.
- vi. New awning frames attached to storefronts, doors or windows shall replicate the shape of the covered area and fit within that area.
- vii. New awnings shall be attached to the area above the display and transom windows and below the cornice and signboard area, or attached to the storefront display window and the transom window.
- viii. Multiple awnings on a single building shall be similar in shape and configuration.
- ix. Only that portion of the awning used for signage shall be illuminated.

Sec. 16-20C.009. Off-Street Parking, Parking Structures, Driveways, Driveways and Curb Cuts.

1. The following Off-Street Parking regulations shall apply to Subareas 1 through 4.

- a. Parking Requirements. Off-street parking and bicycle parking requirements shall be as specified in the Martin Luther King, Jr. Landmark District Parking Table and subject to the following:

TABLE 2: MARTIN LUTHER KING JR. LANDMARK DISTRICT PARKING TABLE	MINIMUM PARKING: BICYCLES	MINIMUM PARKING: AUTOMOBILES	MAXIMUM PARKING: BICYCLES	MAXIMUM PARKING: AUTOMOBILES
Single-family dwellings, Two-family dwellings	None	None	None	2 spaces for every 1 residential unit
All other Residential and Dwelling Uses	The greater of: 2 spaces or 1 space for every 5 residential units	None	No more than 50 spaces required	2.5 spaces for every 1 residential unit
Non-Residential Uses	The greater of: 2 spaces or 1 space for every 4,000 square feet of floor area	None	No more than 50 spaces required	2.5 spaces for every 1,000 square feet of floor area

- i. Bicycle parking spaces shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock and shall be a type specified by the Director of the Office of Planning as applicable.
 - ii. Bicycle parking shall be located a maximum horizontal distance of 100 feet from a building entrance.
 - b. Surface Parking.
 - i. When utilized, off-street surface parking shall not be permitted to be located between a building and an adjacent street without an intervening building.
 - ii. When authorized, park-for-hire surface parking lots shall be prohibited from being located within 65 feet of any public street frontage.
 - c. Screening for Non-Residential and Multi-family Uses.
 - i. All surface parking regardless of the number of parking spaces provided, shall comply with all of the requirements of Chapter 158, Article II, Sec. 158-30.
 - ii. Screen wall extensions shall be permitted when surface parking is directly adjacent to a public sidewalk and additionally shall:
 - (1) Be located predominantly parallel and congruent with the adjacent building façade;
 - (2) Be a minimum height of ten (10) feet and a maximum height of 12 feet;
 - (3) Be a minimum of 50 percent permeable or articulated to avoid blank walls; and
 - (4) Utilize the adjacent building for purposes of determining allowable materials and architectural features.
2. The following regulations shall apply to parking structures within the district.

- a. In addition to the parking deck regulations of Section 16-28.028, parking structure façades shall have the appearance of a horizontal storied building and shall utilize the compatibility rule for the contributing structures of any use on the block for the purposes of determining building materials, building massing, architectural features, building heights and setbacks.
- b. Parking structures shall meet the active use requirements as regulated in Section 16-20C.005(3)(c).
- 3. The following regulations shall apply to driveways and curb cuts within the district.
 - a. Use of shared driveways and/or alleys is permitted. Driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the Commission.
 - b. Circular drives and drop-off lanes shall not be located between any principal building and any public street. The Commission shall additionally have the authority to vary Section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - c. Curb cuts and driveways are not permitted on Edgewood Avenue, Auburn Avenue, Boulevard and Piedmont Road when reasonable access may be provided from a side or rear street or from an alley.
 - d. One curb cut is permitted for each development. Developments with more than one (1) public street frontage or more than 300 feet of public street frontage may have two (2) curb cuts.
 - e. Curb cuts shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
 - f. Sidewalk paving materials shall be continued across intervening driveways for all Non-Residential and Multi-family uses.

General Development Controls and Uses

A variety of residential and commercial uses are permitted in the Subarea, including multi-family, retail and eating/drinking establishments. At this time, the sidewalk level uses are not specifically defined, though retail is noted for the far western space and accessory uses to the multi-family use above are listed in the middle space along Edgewood Avenue. No use is listed for the renovated 20 Jessie Hill Jr. Drive building. The Staff would recommend all proposed uses are permitted by the District regulations.

Notwithstanding the lack of specificity regarding the uses, the sidewalk level of the building must have active uses except in the case of parking deck access points and loading areas. The Staff would recommend the active use requirement for the sidewalk level spaces be met by the project.

In addition to the active use requirement noted above loading docks in particular are not permitted on the primary façade of the building, which the Staff finds to be any street facing façade. A secondary façade would be a side façade or a rear façade. The project proposes the retention of an existing two bay loading dock in the 10 Jessie Hill Jr. Drive building. The exterior façade of the building at the lower level currently consists of two bricked up openings (either storefront or similar openings) and there is no curb cut at the sidewalk. It is not clear to the Staff what current loading dock is being retained. If the Applicant cannot document that an actual two-bay loading dock currently exists at 10 Jessie Hill Jr. Drive, the loading dock will have to be re-located on the project to meet the District regulations or a variance will be required. The Staff would recommend the Applicant document the existence of the loading dock at 10 Jessie Hill Jr. Drive, re-locate the loading dock to another part of the project that meets the District regulations or apply for a variance for a loading dock that does not meet the District regulations.

Usable open space must be provided equal to five (5) percent of the total floor area dedicated to multi-family use. No usable open space calculations were included in the submission. The Staff would recommend that usable open space is provided and meets the District regulations.

The District regulations require that the setbacks of the project meet the compatibility rule, which requires the front, side and rear yard setbacks be within the range established for each setback based on

the contributing buildings on the block, with an additional allowance for zero side yard setbacks. No setback calculations or comparison tables were included in the submission. The Staff would note that the front yard setback along Edgewood Avenue would meet the District regulations given the forward most point of the building along Edgewood Avenue is aligned with the Edgewood Haverty Building, which is a contributing building. The Staff would recommend the side and rear yard setbacks of the project meet the District regulations.

The mechanical equipment is located on the roof the building and is screened or is located in underground vaults. Both conditions meet the District regulations.

Parking (Vehicle and Bicycle) and Curb Cuts

There are no minimum parking requirements in this Subarea of the District, but there are maximum parking allowances for both multi-family and non-residential uses. While it would appear that the maximum parking limit has not been reached when only taking into account the multi-family unit and parking space count, it is not clear the total amount of non-residential square footage (which doesn't include the accessory spaces for the multi-family use) and thus the maximum parking for the whole project can't be determined. The Staff would recommend the total non-residential square footage of the project be calculated and the project meet the maximum parking limitations for all types of square footage.

In contrast, bicycle parking is required, must have a certain anchor design and must be located within 100 ft. of the building entrance. While bicycle storage is shown on both parking levels, no details are provided about the number of bicycles that can be accommodated and the proposed anchor mechanism. Further, none of the bicycle storage areas are within 100 feet of the building entrance, which the Staff finds to be either the parking deck access drive at the front façade of the building at sidewalk level or the sidewalk level pedestrian entrances to the retail spaces and residential lobby. The Staff would recommend the bicycle storage be redesigned to become bicycle parking that meets all of the District regulations.

From a design perspective, the proposed vehicle parking is located below ground and does not have any street or sidewalk level exposure and does not face any street.

A 24 ft. wide curb cut is proposed along Edgewood Avenue for a two-way driveway, which meets the District regulations. There is no existing alley that could be used for vehicle access. Further, placing the curb cut along Jessie Hill Jr. Drive would require the extensive renovation or demolition of a contributing building, assuming that a loading dock could be located somewhere else on the property. If the loading can only be located along Jessie Hill Jr. Drive (and shown as such through the variance process), both buildings along Jessie Hill Jr. Drive would be affected. As such, the Staff finds that there is not a reasonable alternative to having a curb cut along Edgewood Avenue.

However, the Staff is concerned that there is only small walkways for pedestrian coming out of the parking area to get to the street or the front doors of the sidewalk level uses. The Staff would recommend a wider and clearer pedestrian exit from the parking deck to the public sidewalk be provided.

The Staff would recommend that the plans specify that the sidewalk material will continue across the curb cuts.

Sidewalks and Site Features

The site plan included in the submission notes that the existing sidewalk will remain along Edgewood Avenue and Jessie Hill Jr. Drive. The Staff finds that given the size of the project and it amounts to the wholesale redevelopment of most of the property, it is very doubtful that the existing sidewalk will remain on Edgewood Avenue. As such, the Staff finds that the project will need to incorporate a new sidewalk along Edgewood Avenue. The District regulations require new sidewalks to have the same width and delineation of amenity zone (along the curb) and walk zone as the abutting properties. Along Edgewood Avenue, the existing sidewalk does not include an amenity zone along the curb. Given the proposed building aligns with the existing and retained Edgewood Haverty Building, the Staff finds that a likely required new sidewalk meets the District regulations. Given that there is not amenity zone on the street, the Staff finds that street trees are not required for Edgewood Avenue.

Along Jessie Hill Jr. Drive, the existing buildings are being retained, so the Staff finds this sidewalk could in fact remain throughout the project. Regardless, as if the case with Edgewood Avenue, there is no amenity zone along the curb and any new sidewalk would also meet the District regulations.

The District regulations do not allow fences in the front yard of a property and restricts their visibility anywhere on the property. There are two fences proposed as part of the project: one located between the new building and the Edgewood Haverty building, and one between the new building and the property line to the west. The Staff finds that these fences are not located in the front yard, as no front yard exists in the case of this project. However, both fences are clearly visible from public view. While the Staff understands the need for such fences to provide both security with the project and accessibility for utility units and structures, the Staff is concerned about their design and proximity to the public sidewalk. The Staff would recommend that the two fences proposed along Edgewood Avenue are substantially integrated into the design of the building itself and have fewer characteristics of a fence.

It does not appear that any trees will be removed as part of the project. If any trees are removed, the City's Tree Ordinance requirements must be met.

The Staff finds that given the proximity of the new construction to the surrounding buildings, the general character of Edgewood Avenue and Jessie Hill Jr. Drive, and the character of the buildings and structures that abut the property in the rear, no landscape buffering is necessary to screen this building from any of its surrounding buildings or uses.

The Staff would recommend the Applicant clarify if utilities will be buried underground or if not, their reasonable efforts to try to accommodate this design feature.

Overall Massing and Scale

The new building is 6 stories above the sidewalk level. In this portion of the Subarea, the District regulations limit the height of new construction to 1.5 times the height of the tallest contributing building on the block, which in this case is the Butler Street YMCA building. However, there is also a maximum cap on the building height of 68 ft. regardless of the height of the tallest contributing building on the block face.

Building height is measured on the front elevation from the *average point of grade* on the front elevation to the highest point of the roof or façade, whichever is higher. The Edgewood Avenue elevations show the maximum 68 ft. height measured from the finish floor at the “midpoint of the frontage” along Edgewood Avenue. There is no maximum height shown on the Jessie Hill Jr. Drive elevation. Given the site slopes down along Edgewood Avenue from west to east and along Jessie Hill Jr. Drive from south to north, the maximum height measurement needs to be taken starting at the average grade (which is a vertical delineation) vs. the midpoint of the frontage (which is a horizontal delineation) on each elevation and ending at the highest point anywhere on that elevation. The Staff would recommend the height calculations are revised to meet the measuring technique required by the District regulations and the maximum height of the building adjusted, as necessary, to comply with the District regulations.

Regarding the scale of the building, the Staff finds that generally speaking the overall massing is compatible with the District. While it is clearly larger than the immediately surrounding buildings, the Butler Street YMCA building just to the northeast is as tall as the proposed building. However, the Staff is concerned about the various projections (though slight) and changes in cornice height. Presuming that they were included in the project to create variety within the building and “break up” the massing, the Staff is concerned that they create a too disjointed massing and complicated façade that is not compatible with the District regulations. While the Staff finds that breaking down the mass of the building is required to meet the District regulations, the proposed approach does not accomplish that and create a façade pattern that also meets the District regulations. The Staff would recommend that the number of changes in cornice height is reduced, longer sections of the same cornice height are used, and the number of slight projections in the façade be reduced so as to create larger, but still distinct, façade patterns.

Architectural and Façade Elements

The District regulations have specific requirements as to the pattern, size, and location of the fenestration on the sidewalk level of the project that has to occupy a minimum of 60 % of the length of the façade. While it would appear the design would meet this requirement, no such calculation was included in the submission. The Staff would recommend the sidewalk level fenestration meet all of the District regulations and the plan indicate as such. Notwithstanding this requirement, the Staff finds that the storefronts meet the overall design requirements for such fenestration as they have a three part storefront design with large display windows, which is compatible with similar windows in the District.

The Staff is concerned, though, with the fenestration pattern on the upper floors of the building which includes numerous groups of three windows, an isolated use of arched windows and thin, horizontal windows behind the Jessie Hill Jr. Drive buildings, but facing Edgewood Avenue. While the Staff understands that the project is not required to mimic existing window patterns in the District, the Staff is concerned that these differences in fenestration pattern (along with the massing issues noted above) create an inconsistency in the façade pattern. Further, groups of three windows are not the predominant window pattern in the District. The Staff is not aware of any example of the three-part, horizontal windows found behind the Jesse Hill Jr. Drive buildings. The Staff would recommend the fenestration pattern on the building be revised to meet the District regulations.

The Staff is also concerned about the size of the opening in the building for the parking deck vehicle and parking deck pedestrian access. The curb cut is 24 ft. wide, with small walkway provided on either side

of pedestrians to exit the parking deck. While the Staff acknowledges that it recommended an increase in the width of the pedestrian walkways, the Staff finds that one, widened pedestrian walkway could be incorporated into the area and visually separated from the vehicle access and/or integrated into the façade of the building. The other walkway could be eliminated completely, which would reduce the vehicle entrance width and at the same time increase the significance of the pedestrian walkway. The Staff would recommend the parking deck access way along Edgewood Avenue be redesigned to reduce its width, incorporate a wider pedestrian walkway, and increase the visual significance of the pedestrian walkway.

No awnings are proposed for the new building, but three flat, metal canopies are proposed along Edgewood Avenue. While the overall concept of the canopies meets the District regulations, no information was provided about their clearance above the sidewalk or projection over the right of way. The Staff would recommend the flat, metal canopies meet all the District regulations.

No exterior security grills, gates, or doors are proposed as part of the project.

No security or exterior lighting is indicated on the elevations. The Staff would recommend that any exterior lighting of any type be indicated on the plans and meet the District regulations.

Materials

Apart from the metal windows and doors, the exterior of the project utilizes brick (with different coursing and joints), EIFS, and case stone / concrete. These materials are used in both vertical and horizontal groupings. The District regulations require that exterior materials meet the compatibility rule and be used in a coherent manner. The compatibility rule requires comparison to contributing buildings, though there is an allowance for other masonry materials on facades that don't face a public street.

The Staff is concerned that EIFS is not historically found on any contributing building, but is used in five significant groupings along the Edgewood Avenue facing façade and almost half of the Jessie Hill Jr. facing façade. It is also used as the cornice along both facades. The Staff does not find that the use of EIFS meets the District regulations for the Edgewood Avenue façade. Further, while agrees that the portion of the Jessie Hill Jr. façade is set behind the existing historic buildings and thus should be given some flexibility, the amount of EIFS is too significant on that façade.

Regarding the variation on the brick, the Staff finds that the different types of coursing also would create different visual effects that would not meet the District regulations.

Further, the materials are stacked and aligned in patterns that are not compatible with contributing buildings and do not follow the typical ornamentation pattern and façade hierarchy found on contributing buildings. For example, there are secondary cornices at the third level, but only in three locations intermixed with secondary cornices at the second level in four locations. The location and alignment of the materials creates the effect of a segmented, large building vs. the visual effect of two or three, internally cohesive smaller buildings next to each other.

The Staff would recommend the materials on the exterior of the building meet the District regulations as to the material itself, its location, alignment with other materials, and percentage of use.

No painted glass, reflective glass, or other similarly treated fenestration is proposed. No glass block is proposed for the storefront areas.

Renovations to the Existing Buildings

While the question of demolition of the rear portions of the 20 Jessie Hill Jr. Drive and the Edgewood Haverty Building are the subject of the companion application (CA4ER-14-300), the exterior renovation of what would be the remainder of those buildings and the 10 Jessie Hill Jr. Drive building are the subject of this application. The elevation have very general notes as to the exterior renovation of these buildings, noting new windows and doors "compatible with the historic structure". Photographs are provided of the exteriors of the buildings, but no specific information is included about the condition or historic status of the existing windows and doors. The narrative included in the submission notes that "restorations carefully undertaken...consistent with the Secretary of the Interior Standards for Rehabilitation". While the Staff acknowledges that such an exterior restoration would meet the District regulations, the Staff is concerned that replacement of repairable, historic windows and doors would not meet the Standards and thus would not meet the District regulations. Further, additional information about the treatment of the various masonry surfaces is needed. The Staff would recommend that additional information be provided about the exterior renovations of the retained buildings.

Staff Recommendation: Based upon the following:

1. There are substantive components of the overall massing and design, architectural elements, façade components, and materials that do not meet the District regulations, per Section 16-20C.004, Section 16-20C.005, Section 16-20C.006, Section 16-20C.007, Section 16-20C.008, and Section 16-20C.009.

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-14-300) for a new multi-family building at **186, 204, and 206 Edgewood Avenue and 10-20 Jessie Hill Drive - M. L. King, Jr. Landmark District (Subarea 4)**, to allow time for the Applicant to address following concerns and comments of the Staff:

1. All proposed uses shall be permitted by the District regulations, per Section 16-20C.005;
2. The active use requirement for the sidewalk level spaces shall be met by the project, per Section 16-20C.008(3)(b);
3. The Applicant shall document the existence of the loading dock at 10 Jessie Hill Jr. Drive, re-locate the loading dock to another part of the project that meets the District regulations or shall apply for a variance for a loading dock that does not meet the District regulations, per Section 16-20C.008(1)(d);
4. Usable open space shall be provided and shall meet the District regulations, per Section 16-20C.007(1)(c);
5. The side and rear yard setbacks of the project shall meet the District regulations, per Section 16-20C.007(3);
6. The total non-residential square footage of the project shall be calculated and the project shall meet the maximum parking limitations for all types of square footage, per Section 16-20C.009(1)(a);
7. The bicycle storage shall be redesigned to become bicycle parking that meets all of the District regulations, per Section 16-20C.00(1)(a);
8. A wider and clearer pedestrian exit from the parking deck to the public sidewalk shall be provided, per Section 16-20C.008(1)(a);

9. The plans shall specify that the sidewalk material will continue across the curb cuts, per Section 16-20C.009(3)(f);
10. The two fences proposed along Edgewood Avenue shall be substantially integrated into the design of the building itself and shall have fewer characteristics of a fence, per Section 16-20C.008(3)(c);
11. The Applicant shall clarify if utilities will be buried underground or if not, their reasonable efforts to try to accommodate this design feature, per Section 16-20C.007(1)(a)(ix);
12. The height calculations shall be revised to meet the measuring technique required by the District regulations and the maximum height of the building shall be adjusted, as necessary, to comply with the District regulations, per Section 16-20C.004(2)(e) and Section 16-20C.006(2)(a)(1);
13. The number of changes in cornice height shall be reduced, longer sections of the same cornice height shall be used, and the number of slight projections in the façade shall be reduced so as to create larger, but still distinct, façade patterns per Section 16-20C.008(1)(a);
14. The sidewalk level fenestration shall meet all of the District regulations and the plan shall indicate as such, per Section 16-20C.008(3)(d);
15. The fenestration pattern on the building shall be revised to meet the District regulations, per Section 16-20C.008(1)(b);
16. The parking deck access way along Edgewood Avenue shall be redesigned to reduce its width, incorporate a wider pedestrian walkway, and increase the visual significance of the pedestrian walkway per Section 16-20C.008(1)(a);
17. The flat, metal canopies shall meet all the District regulations, per Section 16-20C.008(3)(f);
18. Any exterior lighting of any type shall be indicated on the plans and shall meet the District regulations, per Section 16-20C.008(3)(e);
19. The materials on the exterior of the building shall meet the District regulations as to the material itself, its location, alignment with other materials, and percentage of use, per Section 16-20C.008(1)(a) and (3)(a);
20. Additional information shall be provided about the exterior renovations of the retained buildings, per Section 16-20C.004(1);
21. The Applicant shall provide revised materials (including all of the required copies) at least eight (8) days prior to the Commission meeting to which this application is deferred.



KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT
October 15, 2014
REVISED
December 10, 2014
(Revised text shown in italic.)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-287) for the construction of a new single family house at **879 Lullwater Parkway** - Property is zoned Druid Hills Landmark District.

Applicant: Elizabeth Hackney – John Wesley Hammer Construction Company
118 Barry Street, Decatur

Facts: In 2012, the Commission approved the demolition of the previously existing house at this location (CA4ER-12-269).

The Applicant proposes to build a new, 1.5 story house with an attached garage and partial basement. The existing driveway curb cut will provide access to a curved driveway up to the house and attached garage. The property has a considerable slope from the street grade, rising almost 50 ft. to the rear property line.

At the October 15, 2014 Commission meeting, the Commission deferred the application to allow time for the Applicant to address the concerns of the Staff and the comments in the Staff Report. On December 2, 2014, the Applicant submitted revised plans, which are the subject of this revised Staff Report.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

- (a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
 - (3) Landmark Districts:
 - c. To erect any new structure or to make an addition to any structure within a Landmark District.

Per Section 16-20.009:

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Per Section 16-20B.003:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor (2) Fairview Road, and (3) Springdale/Oakdale/Lullwater. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

(1) Minimum off-street parking requirements:

- a. Off-street parking will not be permitted in any front yard nor in any side yard within 50 feet of a street line, except for Moreland Avenue, where a 60-foot limit shall apply. For the purpose of this parking regulation, the front yard shall be that area between the street line and the forward line of the principal structure.
- b. No off-street parking shall be located within 20 feet of any lot line except as may be authorized by the Atlanta Urban Design Commission under section 16-20B.004(5).
- c. Parking space requirements: Parking areas on the lot with adequate access to a public street and with adequate circulation space shall be constructed of a material which will assure a surface resistant to erosion and shall be maintained permanently as follows:

2. For single-family dwellings: Two (2) spaces per dwelling unit.

(3) Minimum landscaping requirements: The overall quality of the landscaped area visible from public ways should be preserved as an integral part of the historic character of Druid Hills, and the following regulations shall apply to all parcels located within the district:

- a. A certificate of appropriateness shall be required for the clearance or removal of any tree with a caliper of four (4) inches or greater and shrub massings or hedges over three (3) feet high.
- b. All trees with a caliper of four (4) inches or greater as measured four (4) feet above the ground, outside of the building site which are cleared for any reason, shall be replaced with trees having a minimum caliper of one and one-half (1 ½) inches.
- c. A certificate of appropriateness shall be required for any major change in the landscape which is visible from the public right-of-way. Removal or changes in topography, walls (retaining or freestanding), and fences shall constitute a major change.
- e. Which shall read as follows: "(3)(e.) Any construction in the Druid Hills Landmark District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the district. Landscape changes visible from the public right-of-way shall require a Certificate of Appropriateness and shall follow the standards set forth by the Secretary of the Interior. These standards, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*, are designed to assist individual property owners in the formulation of plans for maintenance and continued use of historic properties and landscapes."

(4) Minimum drainage controls: Structures shall be located so as to preserve the natural terrain of the district. Proper drainageways shall be provided to prevent increased water runoff and erosion, siltation of streams or flooding of property as required by the department of public works.

- a. No structure shall be permitted within any 100-year floodplain.
- b. No single-family structure shall be constructed on natural slopes greater than 25 percent.
- c. No structure other than single-family shall be permitted on slopes greater than 15 percent.

(5) Minimum architectural controls: Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

Sec. 16-20B.006. Springdale/Oakdale/Lullwater

The following regulations shall apply to any proposed development on any property located on Springdale Road, Oakdale Road, Lullwater Road or Lullwater Parkway:

- (1) Permitted principal uses and structures:
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental agency.
- (3) Minimum lot requirements:
 - a. Lot width: Each lot shall have a minimum lot width of 100 feet.
 - b. Lot area: Each lot shall contain a minimum lot area of 38,000 square feet.
- (4) Lot coverage: Lot coverage for all structures, parking and driveways shall not exceed 35 percent of the lot area.
- (5) Minimum yard requirements:
 - a. Setbacks:
 7. East side of Lullwater Parkway, to city limit:
 - a. Front yard: 140 feet.
 - b. Side yards: 25 feet.
 - c. Rear yard: 100 feet.
- (6) Maximum height: No building shall exceed a height of 35 feet.

Secretary of the Interior Standards for Treatment of Historic Properties

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Lot Configuration

While the lot as shown on the survey and site plan exceeds the minimum lot frontage and minimum lot size required for this portion of the District, the overall configuration is slightly different from what is shown on the City's plat maps. The Staff would note that generally speaking such differences need to be resolved prior to any permits being issued by the City for work on the property. The Staff would suggest that the Applicant address these issues at the same time as the finalization of their permit / construction drawings.

No additional information was submitted on this issue. The Staff would retain its previous suggestion.

Overall Development Controls

The site plan does indicate if any trees will be removed as part of the construction. The Staff would recommend the Applicant document any tree removal and subsequent compliance with the tree replacement requirements of the District, as well as the City's Tree Ordinance.

The revised plans note the location and size of the trees to be removed, but do not document compliance with the District's tree regulations or the City's Tree Ordinance as to replacement trees or recompense. The Staff would retain its previous recommendation.

While the survey does have a note about "special flood hazards", the Staff would recommend that the Applicant confirm that no structure will be located within the 100 year flood plain.

The revised submission includes a survey with a note specifying that no portion of the property is located within a 100 year flood plain.

It is not clear that the proposed house will not be built on any natural slope exceeding 25%, though the Staff would note that the vast majority of the house will occupy the former footprint and somewhat level building pad of the demolished house. Nonetheless, the Staff would recommend the Applicant provide a slope analysis of the site to confirm that the house will not be placed on any 25% natural slope.

The revised submission includes a slope analysis which documents that no portion of the proposed house will be located on a natural slope greater than 25%.

The proposed house includes three off-street parking spaces located within the attached garage. The District regulations restrict off-street parking within 20 ft. of any property line. The garage and associated parking court are more than 25 ft away from any property line. However, the District regulations also prohibit any parking in any front yard, which is defined as "that area between the street line [i.e. the front property line] and the forward line of the principal structure". The forward most point of the proposed house is the projecting (but connected) screen porch area. A portion of the parking court is located forward of the front edge of this screen porch area. As such, that portion of the parking court does not meet the District regulations. The Staff would recommend that the portion of the parking court forward of the front edge of the screened porch be removed from the proposed design.

The revised site plan shows that no portion of the parking area of the parking court parking area will be located forward of the front face of the screened porch. There is landscaping associated with the parking court that will be forward of the front face of the screened porch, but not the parking area itself.

No lot coverage calculation was included in the submission. The Staff would recommend the Applicant document that the lot coverage for all structures, parking and driveways does not exceed 35 percent of the lot area.

The revised site plan notes the lot coverage for the revised design will meet the District regulations.

The proposed house and all accessory structures that would be subject to the District's setback requirements, meet those requirements. The Staff would note that retaining walls, site stairs, patios, and in-ground water features do not need to meet the setback requirements.

Site Plan Design Analysis

Apart from the more technical site plan requirements noted above, the Staff does have some concerns about the amount of paving and improved spaces in front of the house. While the Staff acknowledges that the site's topography and woodland landscape will make it difficult to see the front yard landscape and hardscape features from the street, it is concerned about the size and variation in levels (three levels are designed) to the entry terrace. There are examples of entry terraces in the District, but not generally of this size and complexity. Generally speaking, the front yards of houses in the District consist of natural or planned landscaping and a driveway. The Staff would recommend that the front entry terrace be simplified in design and reduced in size.

The front terraces have been reduced in size and complexity. In particular, the lowest level terrace included in the first submission has been eliminated from the proposal and the remaining terrace has been slightly reduced in size with additional landscaped added to one side within a raised planting bed. The front terrace area is now somewhat similar to others found in the District.

In addition, it is not clear to the Staff the height of the retaining walls around the front entry terrace and small lawn area. Recognizing the sloping site would likely require some retaining walls to create some usable outdoor space, these retaining wall needs to be the shortest height possible to emphasize the natural and planned landscaping of the front yard. The Staff would recommend the retaining walls in the front yard are reduced in height.

The retaining walls in the front yard have been reduced in height, and the forward most wall has been eliminated from the proposal. The Staff would note that to reduce the height of the walls an additional wall has been added, though it is at the reduced height.

The Staff would add that there have been several changes to the site features at the rear and right side of the house that reduce the formality and symmetry of the spaces and features. Generally speaking, the Staff has no concerns about the design or materials of the rear and right side yard site features. The formal foundation and stairs have been replaced with a more natural waterfall and planting area, while the bocce court has been replaced by gardens and gathering spaces. A small out building which was previously proposed to be removed has been retained and incorporated into the gardens and gathering spaces. The Staff would note that if "reworking" the existing greenhouse means that it will be rebuilt or moved, the new structure will have to meet the District setback regulations.

At the back right hand corner, a stone terrace (which would not be subject to the District setback regulations) contains a fireplace, which if it is tall enough would be subject to the District setback regulations.

The Staff would recommend that all proposed site features subject to setback regulations meet the side and rear yard setbacks.

Architectural Analysis

The District regulations call for any construction in the District to “maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.” As such, the Staff finds that the proposed new construction should be an architectural style and form found in the historic houses in the District. Further, the Staff finds that if the architectural style and form of the proposed house is in the District, the architectural style should either be very similar to the examples found in the District or be very similar to those found in generally accepted references, such as A Field Guide to American Houses, by Virginia and Lee McAlester, which was used by the Staff in this situation.

In reviewing the proposed house, the Staff finds that is closest in architectural style to a Tudor or English Vernacular style of house. There is no question that there are numerous examples of such houses in the District, which tend to have a variety of massing / overall shapes, roof form, and fenestration patterns. These styles of houses can and often have varied and articulated massing, steeply pitched and/or swooping roofs, side-to-side ridges lines, accent gables, grouped or ganged windows, bay windows, dormers and other roof plane projections, prominent chimneys, and a mix of exterior materials (including brick, stone, stucco, half-timbering, and slate).

The overall height of the proposed house meets the District limitation of 35 ft.

While the Staff acknowledges that the house itself will have somewhat limited visibility from the street, the Staff finds that its style and form must meet the District regulations. In general, the Staff finds that the house exhibits many of the qualities of a Tudor or English Vernacular style house.

As for the garage with doors on the front façade, the Staff finds that given its extreme front overhang, architectural detailing, placement on the site, the site topography, and relationship to the main house, the garage compatible with the proposed design and meets the District regulations.

Regardless, it does have some concerns about other aspects of the proposed design.

First, even though the house meets the quantitative height requirement, the Staff is concerned about the expansive and roof plan on the main house, and coupled with the large roof plane over the attached garage, the perceived overall width of the house. Even taking into account that in the District these house styles tend to be wider than other styles and the proposed house meets the setback requirements, the proposed house will be 142 ft. wide from the projection on the right side of the house to the left side of the garage.

Without removing floor area, the Staff finds that the perceived length of the house and the dominance of the roof planes can be reduced by revisions to the roof shape. For example, the roof of the main house could incorporate clipped gables (a feature found on Tudor and English Vernacular style houses), the pitch of the roof section between the house and garage could be lowered, and the pitch of the roof slope over the garage could be lowered and clipped gables added to it. Also, the dormers could be varied / added and accent gables incorporated / expanded. These potential revisions could also help separate the garage massing from the house massing making it appear more “detached” from the house than it really is. The Staff would add that of any of the house styles found in the District, these house styles would accommodate varied roof pitches the best. The Staff would recommend that the roof forms and slopes be revised to reduce the roof’s perceived size and uniformity, and the perceived length of the house.

The Staff finds that the revised design includes a roof form that is only slightly revised from the original submission. The roof over the garage has been slightly lowered (by incorporating a "split" gable), but the roof over the section between the garage and the main house has been raised and there is only minimum change in the roof of the main house. The dormers appear essentially as there where in the original submission and there have been no clipped gables or other features added to the roof of the main house that would reduce its visual dominance of the design. The Staff would retain its previous recommendation.

Second, even though these house styles often incorporate grouped or ganged windows and/or French doors, the Staff is concerned about the window and door grouping in the middle of the house. At the main level there are four French doors (a doors total), while immediately above that there are four casement windows, and immediately above that four accent windows. While the French doors are in a different plane then the windows above, the combined effect of this pattern is the creation of a window wall, which is not compatible with these house styles or similar houses found in the District. The Staff would recommend the French door / casement window / accent window grouping on the front façade be revised to eliminate the perception of a window wall.

The French door / casement window / accent window grouping is essentially un-changed from the original submission. Further, it appears that the style of the different components of the grouping has been simplified and made more internally consistent which the Staff finds increases the window wall effect. The Staff would retain its previous recommendation.

Third, but related to the window wall concern is the stacked design of the bathroom windows on the second level in relation to the roof dormer above them. While the use of small "accent" windows is typical of these house styles, the Staff is concerned that the stacked design will make them look to regimented and symmetrical. The Staff would recommend the placement of the individual second level windows and roof dormers be revised to eliminate the stacked effect of the design.

The design of the bathroom windows on the second level has been simplified to create the appearance on one, single, tall window in each room. For this component of the house, this simplification eliminates the Staff's concern vs. how this change didn't eliminate the Staff's concern in the window wall area.

Fourth, it would appear that the roof of the extreme right hand portion of the house will be essentially flat with a parapet wall. While there are examples of such roof configurations on portions of these styles of houses, they are more unusual and do not normally depart so drastically from the materials of the main house. In this case, all of the rest of the house is stone, while this portion is shiplap, cedar siding. Further, there is not a window on the front façade, creating a blank wall that combined with the drastic change in materials increases its visual presence within the design. The Staff would recommend that the shiplap sided projection on the right side of the house be re-designed to be more internally consistent with the house design.

A small window has been added to this portion of the house. The Staff would retain the portion of the recommendation as to the materials of the right side of the house.

Staff Recommendation: Based upon the following:

1. *Components of the proposed house style and form still do not meet the District regulations, per Section 16-20B.005; and*
2. The potential changes to the house style and form recommended by the Staff, taken together, could result in a house with a different overall appearance, but increased compatibility with the District regulations.

Staff recommends deferral of the application for a Type III Certificate of Appropriateness (CA3-14-287) for the construction of a new single family house at **879 Lullwater Parkway** - Property is zoned Druid Hills Landmark District, to allow time for the Applicant to address the following concerns and comments:

1. The Applicant shall document any tree removal and subsequent compliance with the tree replacement requirements of the District, as well as the City's Tree Ordinance, per Section 16-20B.003(3);
2. *All proposed site features subject to setback regulations shall meet the side and rear yard setbacks per Section 16-20B.006(5)(a)(7);*
3. The roof forms and slopes shall be revised to reduce the roof's perceived size and uniformity, and the perceived length of the house, per Section 16-20B.003(5);
4. The French door / casement window / accent window grouping on the front façade shall be revised to eliminate the perception of a window wall, per Section 16-20B.003(5);
5. *The shiplap-sided projection on the right side of the house shall be re-clad to be more internally consistent with the house design, per Section 16-20B.003(5); and*
6. The Applicant shall provide to the Staff all additional documents, information and materials (including the required number of copies) no less than eight (8) days prior to the Commission to which this application is deferred.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
November 24, 2014
REVISED
December 10, 2014
(Revised text shown in italic.)

Agenda Item: Application for Type III Certificate of Appropriateness (CA3-14-338) for alterations and an addition at **436 Holderness Street**-Property is zoned R-4A/West End Historic District.

Applicant: Earnest Caesar
1760 Spring Avenue

Facts: According to the District inventory sheet, this single family dwelling was constructed in 1911 or 1912 and is contributing to the District. Based on the photographs provided in the inventory, the one-story house appears to be largely intact and retain many of its original features, including its front gable with accent gable over the front porch, front porch elements, windows, transoms, siding and trim, open eaves and detailed rafter tails, and stucco covered foundation.

The Applicant proposes to build a partial second story addition by creating a gable wall facing the front of the house and having a small cantilevered projection over the back of the house. It also appears that some of the existing windows are being replaced or moved.

Lastly, the Applicant proposes to create a separate driveway and repair a retaining wall.

At the November 24, 2014 Commission meeting, the Commission deferred the application to allow time for the Applicant to address the Staff comments and concerns. On December 3, 2014, the Applicant submitted a revised proposal which is addressed in this revised Staff Report. In the revised submission, the addition has been moved to that back of the house and includes a garage on the ground floor and livable space in a half story above the garage.

Analysis: The following code sections apply to this application:

Sec. 16-20G.005. - General regulations.

The following general regulations shall apply to the West End Historic District.

(1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:

(a) When required:

(i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;

(b) Type required:

- (i) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Code of Ordinances.
- (ii) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:

b. Additions that are visible from a public street or park.

- (2) The Compatibility Rule: The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

Sec. 16-20G.006. - Specific regulations.

In addition to the general regulations set forth in section 16-20G.005, and any other applicable regulations, the following regulations shall apply to all rehabilitations, new construction, alterations, and other changes:

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.

(2) Building Façades:

- (a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
- (b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
- (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
- (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
- (e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
- (f) Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding the compatibility rule, the first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.
- (g) No structure shall exceed that height established by the compatibility rule.

(3) Windows and Doors:

- (a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
- (b) Original window and door openings shall not be blocked or enclosed, in whole or in part.
- (c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.
- (d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
- (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
- (f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
- (g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.

- (h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.
 - (i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.
 - (j) New windows or doors added to existing structures shall be located façades that don't face a public street.
 - (k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.
- (4) Storm Doors, Storm Windows, Shutters and Awnings:
- (a) Shutters shall not be added to the building if they were not a part of the original building.
 - (b) Shutters shall be operable or appear operable, and shall fit the size of the window.
 - (c) Replacement shutters shall match the original shutters in design, materials and configuration.
 - (d) Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details.
 - (e) Fabric and metal awnings are permitted. All other types of canopies and awnings are prohibited.
- (5) Foundations:
- (a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 - (b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.
 - (c) Slab on grade is not permitted.
 - (d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
- (6) Chimneys:
- (a) Chimneys shall match original materials, mortar, color and pattern whenever possible.
 - (b) New chimneys shall be faced with brick or stucco.
 - (c) Siding on chimneys is prohibited.
 - (d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.
- (7) Roofs:
- (a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 - (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 - (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.
 - (d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.
 - (e) Skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations, are permitted on roofs of buildings provided they are not visible from any public right-of-way.
- (9) Porches:
- (a) Architecturally significant porches, including their component features, steps and stoops shall be retained.
 - (b) Replacement porches, steps and stoops shall match the original in size, style and materials. All front porch steps shall have closed risers and ends.
 - (c) Porches may be enclosed with screen wire or glass provided that the main characteristics of a front porch are maintained.
 - (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.
- (12) Paved Surfaces:
- (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
 - (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
 - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.

(13) Off-Street Parking Requirements:

- (a) Off-street parking shall not be permitted in the front yard or half-depth front yard.
- (b) Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side street shall apply to the construction of a carport or garage.
- (c) The use of alleys for access to such parking is permitted. No variance is required for driveways accessed from an alley.

(16) Ornaments:

- (a) Architecturally significant ornaments, such as corner boards, cornices, brackets, downspouts, railings, columns, steps, doors and window moldings, shall be retained.
- (b) Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
- (c) Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Section 16-20.009:

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, for purposes and objectives contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic regulations as are required in article D of chapter 4 or part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the buildings, structure or site would be unimpaired.

Site Plan Issues

The Applicant did not submit a proposed site plan, but did submit an existing survey of the property, though it appears that it is not to scale. Given that a proposed site plan wasn't submitted and the existing survey is not to-scale, it is difficult to assess the setbacks of the proposed addition. However, as the addition will be generally located on top of the existing house, the Staff is concerned that the right side yard setback of the addition will be less than the required 7 ft. from the side property line. The left side yard setback might meet the 7 ft. requirement. The rear yard setback meets the 15 ft. minimum distance.

A site plan was included in the revised submission, which shows the new location of the addition. The left side yard and rear yard setbacks of the addition meet the 7 ft. and 15 ft. (respectively) requirements. However, it appears that the right (south) side yard setback of the addition is about 6 ft.,

which does not meet the set requirements. Further, the right side of the house now has a small projection added to the current house, which also projects into the setback. The Staff would recommend the proposed addition and alterations to the existing house meet all of the setback requirements.

Further, the Staff cannot determine whether if the project meets the lot coverage and floor area ratio requirements without a to-scale, proposed site plan and accompanying calculations.

While the floor area ratio and lot coverage calculations are not quite complete of the site plan, it would appear that they would meet the respective requirements. The Staff would recommend the site plan reflect full floor area ratio and lot coverage calculations and such calculations meet the zoning regulations.

The Staff did determine that the dimensions of the lot generally match the City records, though the southern side property line dimension is a foot or so different from the City's records.

The project narrative refers to the creation of a "separate driveway". However, given the lack of a proposed, to-scale site plan, the Staff cannot offer an opinion about this aspect of the project. The Staff would note, however, that the side yard setbacks of the existing house would make it difficult to provide an independent driveway connected to a public street, as required by the City's general zoning requirements.

The addition now includes a rear facing, double garage, but does not include any indication of a driveway. Given the setbacks of the existing house, the Staff finds that the only potential method for connecting a driveway to the rear facing garage would be shared driveway on an adjacent property or a driveway connected to the alley to the rear and northeast corner of the property. The District regulations allow for driveways connected to an alley without a variance but do not have such an allowance for shared driveways. The Staff would recommend the driveway be shown on the site plan and meet all of the District regulations. The Staff would add that the driveway will effect the lot coverage calculation.

Lastly, a rear deck is shown on the existing survey, but is not shown in the floor plans. It is not clear if the deck will be retained, reconfigured, or eliminated in the proposed project.

The revised site plan and floor plans do not show the rear deck being retained or a new one being installed.

The Staff recommends the Applicant submit an appropriately scaled, proposed site plan. The Staff recommends the Applicant provide documentation the project meets the setback, lot coverage and floor area ratio requirements.

Alterations to the Existing House

As this is an interior lot, the Staff finds only the front and side facades are visible from the street. As such, Staff will only make comments regarding the front and side facades.

On the right side of the house the second two windows from the front are being reconfigured to become a paired set of windows. The District regulations require "architecturally significant windows...be retained" and "Original window...openings shall not be blocked or enclosed, in whole or in part." The proposed change in the windows does not meet the District regulations. The only

exception to this requirement are windows changes that are related to kitchens and bathrooms. The Staff would recommend that the windows on the right side are retained in place.

The revised floor plans show these two windows being retained in their current locations but the elevations still show them becoming a paired window. The Staff would retain its previous recommendation.

A small projection has been added just behind these two windows to accommodate a remodeled master bathroom. While the Staff does not have any general design concerns about this projection, it would retain its concern (noted above) about the side yard setback on this side of the house.

On the left side of the house, the plans show that a paired window is being added in the kitchen over the kitchen sink although the existing condition photographs show an almost-paired window already there. While the Staff does not have concerns about the creation of the new paired window in the kitchen, there is no information about the proposed window itself.

Lastly, it is not clear if the windows marked as “emergency egress access” on the floor plans will be replaced to create such access or if such access already exists with the current windows and the plans are just indicating as such. It is also not clear if these windows are original or historic to the house.

The Staff would recommend that the Applicant clarify the arrangement of the existing windows on the left side of the house and whether the windows marked “emergency egress access” are original or historic to the house and if they will be replaced as part of the project.

The notes about the emergency egress access have been removed, but it is still not clear what work (if any) will occur with the existing windows. Further, the existing and proposed floor plans do not show any window in the kitchen though one exists today and a paired window is shown on the elevations. The Staff would retain its previous recommendation.

Second Story Addition

The main component of the project is the construction of a partial second story addition at the rear of the house. The Staff has several substantial concerns about the proposed addition.

First, the overall height of the house is limited by the compatibility rule which requires that the height be no taller than the tallest contributing (i.e. historic) house on the block face. The Applicant did not provide any information regarding the height of the contributing houses on the block face. The Staff would note that there is a one two-story house located at 448 Holderness Street. The Staff would recommend the Applicant document the addition’s compliance with the District height limitations.

Second, the Staff finds that the proposed addition on the house is not “compatible with adjacent and surrounding structures” as required for new construction. The Staff is not aware of a single house in the District with this massing and form as an original or historic characteristic. This “camel back” approach would completely alter the appearance, size, and massing of the house and make it incompatible with the District. The cantilevered portion at the back of the house (which will be visible from the street) also diminishes the massing of the house.

Third, the Staff finds that the proposed roof form (a main gable with a raised gable behind it on knee walls) does not meet the compatibility rule for new construction as there is no other contributing house on the block face with this roof form or shape.

Fourth, the roof does not meet the “further standards” found in Chapter 20 of the Zoning Ordinance which are referred to by the District regulations as follows:

- Property has not been adapted in a way that required minimal alteration of the house.
- One of the most significant distinguishing original qualities of the house (its one-story size) will be destroyed.
- The design of the addition is not compatible with the size scale, and character of the house.
- The addition cannot be removed in the future without substantially impairing the essential form and integrity of the house.

The Staff recommends the second story addition be eliminated from the proposed design and the desired square footage be achieved through an addition that meets the District regulations.

Rear Addition

As noted above, the second story addition has been replaced by a rear, 1.5 story addition. The rear addition has a cross-gable roof with the front-to-back gable being slightly lower than the side-to-side gable such that where the addition connects to the house, the roof line steps down. The right side of the addition is aligned with the current house, while the left side is substantially setback from the current house.

Apart from the setback concerns noted above, the Staff finds the now proposed rear addition a significant improvement over the second story addition. Its height is the same as the current house, which by definition meets the compatibility rule. Its roof form (cross gable that aligns with the existing house) also meets the District regulations. The massing it creates with the existing house also meets the District regulations, as the 1 story, front-to-back massing of the existing house is generally maintained by the addition. Lastly, the proposed addition generally meets the Further Standards by:

- *allowing the property to be adapted in a way that required minimal alteration of the house;*
- *allowing one of the most significant distinguishing original qualities of the house (its one-story size) to be retained;*
- *reinforcing the size scale, and character of the existing house; and*
- *not substantially impairing the essential form and integrity of the house if the addition were removed in the future.*

However, the Staff does have some concerns about the design and materials of the addition and as such would make several recommendations to ensure compliance with the District regulations. The Staff would recommend the addition’s siding be smooth cementitious boards that meet the District regulations. The Staff would recommend the right side of the addition include a false corner board to delineate between the addition and the existing house. The Staff would recommend that the middle window on the upper level of the right side of the house be more vertically proportioned. The Staff would recommend a small, vertically proportioned window be added to the front portion of the left side of the addition. Lastly, the Staff would recommend that all exterior materials and architectural elements visible from a public street meet the District regulations.

Staff Recommendation: Based upon the following:

a) The plans do meet the District regulations, per Section 16-20G.006.

Staff recommends *approval* of the Application for a Type III Certificate of Appropriateness (CA3-14-338) for alterations and an addition at **436 Holderness Street**-Property is zoned R-4A/West End Historic District, with the following conditions:

- 1. The proposed addition and alterations to the existing house shall meet all of the setback requirements, per Section 16-20G.006;*
- 2. The site plan shall reflect full floor area ratio and lot coverage calculations and such calculations shall meet the zoning regulations, per Section 16-20G.006;*
- 3. The driveway shall be shown on the site plan and shall meet all of the District regulations, per Section 16-20G.006(13);*
- 4. The windows on the right side shall be retained in place, per Section 16-20G.006(3);*
- 5. The Applicant shall clarify the arrangement of the existing windows on the left side of the house and whether the windows marked "emergency egress access" are original or historic to the house and if they will be replaced as part of the project, per Section 16-20G.006(3);*
- 6. The addition's siding shall be smooth cementitious boards that meet the District regulations, per Section 16-20.009, 16-20G.006(1), (2)(c), and (2)(e);*
- 7. The right side of the addition shall include a false corner board to delineate between the addition and the existing house, per Section 16-20.009, 16-20G.006(1) and (2)(e);*
- 8. The middle window on the upper level of the right side of the house shall be more vertically proportioned, per Section 16-20G.006(3)(g);*
- 9. A small, vertically proportioned window shall be added to the front portion of the left side of the addition, per Section 16-20G.006(3)(g);*
- 10. All exterior materials and architectural elements on the addition visible from a public street meet the District regulations, per Section 16-20.009, 16-20G.006(1), (2)(c), and (2)(e); and*
- 11. The Staff shall review, and if appropriate, approve the final plans, documentation, and specifications.*



KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT
November 24, 2014
REVISED
December 10, 2014
(Revised text shown in italic.)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-364) for a variance to allow outdoor accessory dining within 100 feet of a residence and to reduce the tree well size from 5' x 5' to 3' x 3' and (CA3 14 354) for alterations and a rooftop addition at 131 Walker St. Property is zoned Castleberry Hill Landmark District (Subarea 1).

Applicant: Jerome Russell
504 Fair St.

Facts: Castleberry Hill, located in the southwest Central Business District, is an area that is significant primarily for its important collection of modest, late 19th and early 20th century commercial, warehouse, and industrial buildings. These buildings range in size from small, one- and two-story retail store fronts to large, single-tenant factories and warehouses. Since the 1980s, many of these buildings have been rehabilitated and converted to loft apartments and condominiums, studios, retail and restaurants, and art galleries.

The one-story commercial structure at 131 Walker Street is located on the southwest corner of Walker Street and Nelson Street, such that the north and east elevations have street frontage. The building takes up almost the entire property. To the south of the building / property is another property for which a similar application has been submitted by the same owner. The proposed project consists of the following activities:

1. Replace the sidewalk at the northeast corner of the property and along the Walker Street frontage with concrete or hexagonal pavers.
2. Install street lights along the Walker Street frontage of the property.
3. Install trees in tree wells along the Walker Street frontage of the property.
4. Widen a curb cut along Nelson Street to 20 ft. wide in front of existing loading dock doors.
5. On all elevations, repair and clean existing metal doors and windows that will be retained.
6. On all elevations, restore existing brick.
7. On the Walker Street and Nelson Street facades, remove infill block from selected masonry openings and install metal storefront systems with metal or fabric awnings above.

8. On the Walker Street and Nelson Street facades, remove infill block from masonry openings near the corner and leave open for outdoor seating.
9. On the Walker Street and Nelson Street corner, remove the roof of the building and leave open for outdoor seating.
10. On the Walker Street and Nelson Street corner, install a metal sun shade near the top of the building façade.
11. On the south façade, replace an existing roll up door with a metal storefront system and create an entry patio with a brick and metal fence / railing.
12. On the west elevation, replace two of the three existing loading dock doors with metal storefronts and replace the third with a new roll up door.
13. On the roof top, construct a sloped roof, metal addition and outdoor seating area that is partially covered and surrounded by a metal railing.

On November 24, 2014, the Commission deferred the applications to allow the Applicant to address the concerns noted in the Staff Report. On December 2nd, the Applicant submitted revised plans and supporting information. The Applicant further clarified that they wanted to move forward with the review of the renovations of the building and property using a use that doesn't require any off-street parking due to funding concerns related to the renovations.

Analysis: The following code sections apply to this application:

Per Section 16-20N.005. Certificates of appropriateness.

4. Type III certificates of appropriateness shall be required for:

- (a) Construction of all new principal structures;
- (b) All major alterations and additions to an existing principal structure, including all major alterations and additions to the roofs of principal structures.

Per Section 16-20N.006. General Regulations.

The following general regulations shall apply to all properties located within the District.

1. In the District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20N do not specifically address the application or any portion of the application:

- (a) The historic character of a property shall be retained and preserved.
- (b) The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
- (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historic development, such as adding conjectural features or elements from other historic properties.
- (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
- (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
- (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
- (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
- (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

- (k) Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20L.007 or section 16-20L.008, as applicable.
 - (l) The height of a structure shall be measured on the façade facing the public street and measurement shall be taken from the highest point of such grade to the top of the parapet wall.
2. Compatibility rule.
- (a) To permit flexibility, some regulations are made subject to the compatibility rule, which states: "Where not quantifiable, the element in question (roof form, architectural trim, fenestration, etc.) shall match that which predominates on the contributing buildings on that block face. Where quantifiable, the element in question (i.e., building height and width, floor height, etc.), shall be no smaller than the smallest or larger than the largest such dimensions of the contributing buildings on that block face.
 - (b) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
3. Variances, special exceptions, and appeals. Variance applications, applications for special exceptions, and appeals from these regulations shall be heard by the commission. The commission shall have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, and criteria for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16. The commission shall have the authority to grant or deny applications for special exceptions pursuant to the standards in chapter 25. The commission shall have the authority to grant or deny applications for appeal pursuant to the standards in section 16-30.010 and the appeal provisions for said decision, set forth in section 16-30.010(e), shall also apply to the commission's decision.
8. Off-street and off-site parking.
- a) All new construction, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential uses, or any change in use shall include the required off-street parking.
 - b) The number of required off-street parking spaces is set out in each subarea.
 - (c) Off-street or off-site parking located adjacent to public streets or sidewalks shall include landscape buffer strips along the public street or sidewalk. Landscape buffer strips shall be: a minimum of three feet in width, planted with a mixture of evergreen groundcover or shrubs a minimum of three gallons at time of planting with a maximum mature height of 30 inches; and planted with canopy street trees that are a minimum of 3.5 inch caliper measured 36 inches above ground and a minimum of 12 feet in height at time of planting placed no further than 25 feet on center. All landscape buffer strips shall be maintained in a sightly manner.
 - (c) Use of shared driveways and/or alleys is encouraged. Required driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the commission.
 - (e) Curb cuts and driveways are not permitted on any arterial street when reasonable access may be provided from a side or rear street or from an alley.
 - (f) The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - (g) No circular drives shall be located between any principal building and any public street.
 - (h) One curb cut is permitted for each development. Developments with more than one public street frontage or more than 300 feet of public street frontage may have two curb cuts.
9. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:
- (c) All street-fronting sidewalk level development shall provide fenestration for a minimum of 60 percent of the length of the frontage, beginning at a point not more than three (3) feet above the public sidewalk, for a height no less than nine (9) feet above the sidewalk.
 - (d) Sidewalk level development without fenestration shall not exceed a maximum length of ten (10) feet of façade.
 - (f) Relationship of building to street.
 - i. The first eight (8) feet of all building levels that have sidewalk level arterial street frontage shall have a commercial, office, or residential use and shall not be used for parking or storage.
 - ii. The primary pedestrian entrance to all uses and business establishments with sidewalk level street frontage shall:
 - a. Be visible from the street.
 - b. Be directly accessible, visible, and adjacent to the sidewalk, pedestrian plaza, courtyard, or outdoor dining area adjacent to such street.
 - c. Face and be visible to an arterial street when located adjacent to such arterial streets.
 - iii. A street address number shall be located above the principal building entrance, shall be clearly visible from the sidewalk, shall contrast with their background, and shall be a minimum of four inches in height with a minimum stroke of 0.5 inch.

- (g) Façade Materials. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the façades of the principle structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Aluminum siding and vinyl siding are not permitted on any facade.
- (h) Awnings and canopies.
 - iii. Awnings and canopies must have a minimum clearance of eight feet above the sidewalk level, and shall not encroach more than five feet over the public sidewalk.
 - iv. Installation of new canopies, where none previously existed, shall be permitted only if they are compatible with the original structure.
 - v. New awning frames attached to storefronts, doors or windows shall replicate the shape of the covered area and fit within that area.
 - vi. New awnings shall be attached to the area above the display and transom windows and below the cornice and signboard area, or attached to the storefront display window and the transom window.
 - vii. Multiple awnings on a single building shall be similar in shape and configuration.
 - viii. Only that portion of the awning used for signage shall be illuminated.
- 11. Structures on the roofs of principal buildings.
 - (a) All components of a structure or addition on the roof of a principal building visible from a public street shall be metal or masonry.
 - (b) The enclosed floor area of a habitable structure shall not exceed 25 percent of the roof area above occupied space, unless otherwise necessary to meet the minimum requirements for mechanical and elevator equipment, stairwells, elevator, and stair landings.
- 13. Fences, walls, and retaining walls.
 - (a) Fences shall be no more than ten feet high.
 - (b) Fences between the principal building and the public street shall be constructed of metal, brick, stone, ornamental iron or metal, or architectural masonry.
 - (c) Fences to the rear or side of the principal building shall be constructed of metal, brick stone, ornamental iron or metal, architectural masonry, chain link, or wood.
 - (d) Walls shall not be permitted between the principal building and the public street. Walls shall be no more than ten feet high. Walls, including retaining walls, shall be constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco.
 - (e) Retaining walls adjacent to a public street or sidewalk shall not exceed four feet in height, unless required by existing site topography.
 - (f) Adjacent to a public street or sidewalk, the total height of any combination of fencing, wall and/or retaining wall shall not exceed ten feet.

Section 16-20N.007 - Specific Regulations for Historic Core, Subarea 1.

In the Castleberry Hill Historic Core, Subarea 1, the commission shall apply the standards referenced in section 16-20N.006(1) only if the standards set forth in section 16-20N.007 do not specifically address the application or any portion thereof:

- 1. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:
 - (a) The compatibility rule shall apply to the general façade organization, proportion, scale, and roof form of the principal structure.
 - (b) The height of a principal structure shall be forty (40) feet. Properties with first floor retail space exceeding twelve (12) feet in height shall have a ten percent (10%) height bonus, allowing for a maximum height not to exceed forty-four (44) feet. With the exception of properties north and east of Mangum Street that front Nelson Street, which shall have a ten (10) foot height bonus, allowing for a maximum height not to exceed fifty (50) feet.
 - (c) All building elements shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements, including but not limited to their: design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - (d) Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - a. The style and material of the individual window or door.
 - b. The size and shape of individual window and door openings.
 - c. The overall pattern of fenestration as it relates to the building façade.
 - d. The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.

- ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - iv. Subject to the compatibility rule, glass block may be used for door surrounds and transoms.
- (e) Facades.
- i. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the façades of the principal structure. Concrete block and other masonry materials may be used on façades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any facade.
 - ii. Covering of the original façade shall not be permitted.
 - iii. Painting of unpainted stone, terra cotta, and brick is prohibited.
 - iv. All cleaning of stone, terra cotta, and brick shall be done with low-pressure water and mild detergents.
 - v. All repairs to original mortar shall be compatible with the existing mortar material in strength, composition, color and texture. Original mortar joints shall be duplicated in width and in joint profile.
- (f) Lighting and storefront illumination.
- i. Security, decorative, and other lighting shall minimize light spillage by providing cutoff luminaries that have a maximum 90-degree illumination. The commission may also require other elements to reduce light spillage.
 - ii. Any security, decorative, or other lighting luminaries shall be located a minimum height of eight (8) feet above the sidewalk, drive, or pedestrian area.
- (g) Loading areas, loading dock entrances, and building mechanical and accessory features.
- i. Commercial dumpsters shall not be visible from any public street. Residential dumpsters shall not be visible from: Walker Street, Nelson Street, or Peters Street. Notwithstanding the visibility requirements noted above, all dumpsters shall be concealed with walls six feet in height and constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco.
 - ii. Loading docks and loading areas shall not be permitted on the primary façade of a principal building.
 - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
 - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible from any public street.
 - v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
- (i) Sidewalk regulations.
- i. Hexagonal sidewalk pavers shall be retained.
 - ii. Hexagonal sidewalk pavers or hexagonally stamped concrete shall be used for any new sidewalks or replacement sidewalks on the public streets.
 - iii. Any new or replacement curbing shall be granite.
 - iv. New sidewalks shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be a minimum of seven feet wide and a maximum of 15 feet wide.
 - v. Street furniture: Street furniture to include, but is not limited to: street lights, seating, newspaper vending boxes, trash receptacles, official city and neighborhood signage, trees and shrubs and flower pots.
 - vi. Outdoor seating: Seating areas should be specifically defined and located as to not obstruct pedestrian access or motorist visibility.
 - vii. Umbrellas: Must have a minimum clearance of seven feet above the sidewalk level and located as to not obstruct pedestrian access or motorist visibility.
 - viii. Newspaper vending boxes: Should be located as to not obstruct pedestrian access or motorist visibility.
 - ix. Tree planting: When installed, all newly planted trees shall be a minimum of four inch caliper measured 36 inches above ground, and a minimum of ten feet in height. Trees shall be drought tolerant, limbed up to a minimum seven-foot height, and shall have a maximum mature height of 40 feet. Trees shall have a minimum planting area of 25 square feet. All plantings, planting replacement, and planting removal must be approved by the city arborist. The planting area shall be planted with evergreen ground cover such as mondo grass or *liriope spicata*.
 - x. Trash receptacles: Where installed, trash receptacles shall be a Victor Stanley Model S-42 or similar looking standard.

- xi. Decorative pedestrian lights, where installed, shall be placed a maximum of 40 feet on center and spaced equal distance between any street trees along all streets. All said lights shall be Atlanta Type "C" as approved by the planning bureau.
- 2. Permitted principal uses and structures: A building or premises shall be used only for the following principle purposes:
 - (a) Multi-family dwellings, two-family dwellings, and single-family dwellings.
 - (b) Residential and nonresidential uses, as otherwise allowed below, on the same site, in which both of such uses are at least 20 percent of the total floor area, excluding accessory uses.
 - a. Any of the following uses provided they do not exceed 2,000 square feet of floor area:
 - i. Retail establishments, including delicatessens, bakeries and catering establishments.
 - ii. Specialty shops such as antique stores, gift shops, boutiques, art and craft stores, and apothecary shops.
 - iii. Barber shops, beauty shops, and similar personal service establishments.
 - iv. Tailoring, custom dressmaking, millinery, and similar establishments.
 - v. Repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks, and similar devices.
 - b. Any of the following uses provided they do not exceed 5,000 square feet of public areas:
 - i. Eating and drinking establishments.
 - ii. Museums, galleries, auditoriums, libraries, and similar cultural facilities.
 - iii. Professional or service establishments, but not hiring halls.
 - (g) Offices, studios and similar uses provided that no such individual business establishment shall exceed 15,000 square feet of floor area.
- 3. Off-Street Parking Requirements
 - (a) Off-street parking shall not be permitted between the principal building and the public street.
 - (b) Off-street parking may be located in a rear or side yard.
 - (c) All dwellings: Off-street parking requirements shall be as follows: See section 16-08.007, Table I, for applicable ratios according to the appropriate floor area ratio.
 - (d) Eating and drinking establishments: One space for each 100 square feet of floor area. Where an eating and drinking establishment derives more than 60 percent of its gross income from the sale of malt beverages, wine and/or distilled spirits, it shall be required to have one space for each 75 square feet of floor area. Floor area shall include, in addition to those areas defined in section 16-29.001(13)(b), areas within the existing building footprint where walls have been removed and a permanent roof remains.
 - (e) All other uses: No off-street parking is required.

Sec. 16-20N.009. - Additional use regulations.

In addition to the regulations governing permitted uses set forth in this Chapter, or elsewhere in this Code the following regulations shall apply to permitted uses in this district:

- 1. Eating and drinking establishments. The following supplemental regulations shall apply in Subarea 1 and Subarea 2:
 - i. No eating and drinking establishment with an alcohol license may be located within 250 feet of another eating and drinking establishment with an alcohol license, including an establishment located outside of the Castleberry Hill Landmark District.
 - (b) Notwithstanding the location of any other premises with an alcohol license, an eating and drinking establishment where sales of alcoholic beverages by the drink constitute less than 50 percent of gross sales may be located within a mixed-use development greater than 10,000 square feet provided that all of the licensed establishments located in such mixed-use development constitute in the aggregate no more than 25 percent of the total square footage of nonresidential floor area in such mixed-use development.
 - (c) Accessory outdoor dining area to any eating and drinking establishment which is otherwise permitted by these regulations may not be located within 100 feet of any dwelling except those located in the same structure;
- 2. Specifically prohibited uses. Without regard to whether such uses are allowed as a permitted use in other zoning districts under the list of permitted uses allowed in this district, the following uses are prohibited either as primary or accessory uses:
 - (a) Cinema/movie theatre;
 - (b) Bowling alley;
 - (c) Skating rink;
 - a. Video game room, amusement gallery or amusement arcade;
 - b. Pool hall;
 - c. Massage parlor or facility;
 - (h) Tattooing and/or piercing;
 - (i) Adult businesses as defined in section 16-29.001(3);

- (j) Package stores;
 - (k) Bottle houses;
 - (l) Any establishment which provides "pawn transactions" as defined in O.C.G.A. § 44-12-130 as it exists now or as it may be amended;
 - (m) Offering check cashing services pursuant to a license issued pursuant to Article 4A of Chapter 7 of the Official Code of Georgia;
- (m) Any institution except for banks, trust companies, credit unions, business development corporations, building and loan associations, mortgage lenders and mortgage brokers, which offer to loan money to the public. This provision shall not act to prevent the credit sale of goods by any business establishment.
3. Hours of operation. No business establishment is permitted to operate except during the following hours:
- (a) Sunday—Thursday: 6:00 a.m. to 12:00 a.m.
 - (b) Friday and Saturday: 6:00 a.m. to 1:00 a.m.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Variance Analysis

The Applicant provided a variance analysis for the request for outdoor dining within 100 ft. of a residence and a reduction in the size of the tree wells. The Staff agrees with the analysis and information presented by the Applicant for the reduction in the tree well size and would recommend that portion of the variance.

Regarding the outdoor dining variance, the Staff only partially agrees with the Applicant's analysis. It does agree that putting the outdoor dining at the "rear of the property" (assuming it would meet the distance requirement) could not be an ideal place, depending in where at the rear of the property it is located. But, it is not clear to the Staff if outdoor dining along or near the southern portion of the Walker Street frontage would meet the distance requirement. This could have the same street exposure and views as the corner location. It is also not clear, how the size of this lot and the size of other lots, is extraordinary or exceptional, as noted by the Applicant. The Staff also doesn't agree that having the outdoor dining in a "well located...visible location" would not cause a detriment to the public good as the District regulation for the distance from a residence is specifically trying to avoid detrimental effects to the public good. The Applicant has not described any mitigating factors that make this situation unusual or un-anticipated by the District regulations.

Further, the Staff is not aware of a significant hardship suffered by the several successful eating and drinking establishments in the District that do not have outdoor dining space. The Staff finds that an outdoor dining space allows for additional patrons to be served without having a larger building with enclosed spaces. In this case, the Applicant is purposefully un-enclosing an existing portion of the building on the ground level to create an outdoor dining area that could otherwise be used for dining, but it would be indoors.

Taking all of that into account, the Staff does find that it is possible to have some outdoor dining which would reduce or eliminate the concerns noted above and at the same time achieve some of the apparent goals of the project. The Staff would recommend that the outdoor dining on the street level and the rooftop outdoor dining be enclosed, eliminated from the proposal, or moved to another portion of the site that meets the distance requirement.

The Applicant has provided revised arguments for the request for outdoor dining. However the outdoor dining is related to a use, an eating and drinking establishment, that otherwise requires on-site parking. The on-site parking requirements can't be met at this time for the proposed eating and drinking establishment, so the Applicant has submitted a special exception amendment to their variance request to reduce the amount of on-site parking. This request was not received in time to properly advertise the request for the December 10th Commission meeting. As such, the Staff would retain its recommendation for deferral of the variance request so that the special exception for the parking reduction can be added to the variance application.

Uses, General Development Controls, and Parking

The specific uses are not listed in the submission, though the floor plan shows that none of the spaces (as currently defined) will be over 5,000 sq. ft. The Staff would recommend the Applicant clarify the proposed uses for the building, that each use is allowed within this subarea of the District, and that each proposed use meets the square footage limitation and if applicable the distance requirements for that use. The Staff would further recommend the Applicant clarify the hours of operation of all the proposed uses.

The uses and hours of operation have been specified on the plans.

Further, it would appear that based on the request for outdoor seating, at least one of the proposed uses is for an eating and drinking establishment. The District regulations require on-site parking for eating and drinking establishments, but the submission does not include any indication of such parking being provided. The Staff would recommend the Applicant document that no eating and drinking establishments will be located on the property or that adequate on-site parking is provided for any such uses that are located on the property.

As noted above, the proposed use is an eating and drinking establishment. At this time, the on-site parking demands of an eating and drinking establishment can't be met by the project. The Staff would recommend that no eating and drinking establishments operate on the property until such time as all District regulations have been met for such establishments and that any other use for the property meets all of the District regulations.

Design Components

Replace the sidewalk at the northeast corner of the property and along the Walker Street frontage with concrete or hexagonal pavers.

While the use of stamped or real hexagonal pavers for replacement sidewalks meets the District regulations, it is not clear if there are any existing hexagonal pavers to be retained and repaired as required by the District regulations. The Staff would recommend that the Applicant clarify the condition and materials of the existing sidewalk and if the existing sidewalks are hexagonal pavers, that they are retained.

The revised plans note that the existing sidewalk is plain concrete. As such, the proposed replacement sidewalk meets the District regulations.

Install street lights along the Walker Street frontage of the property.

It appears that the street lamps will be a decorative pedestrian light and as such subject to the District regulations. The design and placement of the lights meets the District regulations.

Install trees in tree wells along the Walker Street frontage of the property.

Given the Staff's recommendation regarding the variance, the Staff has no concerns about the creation of the tree wells or their placement along Walker Street. The Staff would recommend the trees meet the District regulations.

The revised plans note the trees and tree well plantings will meet the District regulations.

Widen a curb cut along Nelson Street to 20 ft. wide in front of existing loading dock doors.

The District regulations limit the number of curb cuts for a given property and their location, but not the size of the curb cut. The proposed curb cut meets the District regulations.

On all elevations, repair and clean existing metal doors and windows that will be retained.

On all elevations, restore existing brick.

The Staff would recommend that the cleaning and repair work meet the District regulations.

The revised plans note that all the cleaning and repair work on the masonry will meet the District regulations.

On the Walker Street and Nelson Street facades, remove infill block from selected masonry openings and install metal storefront systems with metal or fabric awnings above.

The Staff has no concerns about the removal of the infill block. The design of the storefront systems is based on the compatibility rule. The Staff would recommend the Applicant document compliance with the compatibility rule for the size, shape, pattern, design, and material of the storefront systems.

The new storefront openings have been modified to include a brick bulkhead. The compatibility rule requires comparison to contributing buildings or components thereof on the same block face as the subject property. Both buildings on the block are considered contributing to the District and as such should be the points of comparison. However, the Staff finds that given the storefront openings in both buildings have been substantially altered and are not original or historic to the building and in turn will be altered further by the subject and companion applications, another block face should be used for comparison. The Staff further finds that the facing block face, given its integrity and proximity to the subject block face would be the most appropriate point of comparison. The examples provided by the Applicant are not appropriate given that they are not storefront openings and are on the facing block face. The Staff would retain its previous recommendation.

Further, the Staff is concerned that even though the number of new storefronts reduces the level of non-conformity for fenestration along Walker Street as a percentage of the length of the facades, the resulting percentage will still not meet the District regulations. The Staff would recommend that

additional blocked in openings be removed and replaced with fenestration so as to meet the percentage requirement for fenestration along the length of the Walker Street façade.

The Staff would acknowledge that the current proposal does reduce the level of non-conformity and as such brings the project closer to compliance with the District regulations. The Applicant notes in their revised submission that they did not propose additional openings in the Walker Street façade because they concluded the other blocked in openings “appear to have attained historic significance in their own right the applicant proposes they be retained and preserved”. The Staff does not find that there are any significant differences in design or materials between the blocked in openings that are being left and those that are being removed for new storefront systems. They appear to have the same windows and doors and the same type of block was used for the infill. The Staff would add that the proposed floor plan would accommodate additional window / door openings being created, which while it still might not bring the property completely in compliance with the District regulations would re-establish almost all previous windows openings.

The Staff would revised its previous recommendation such that additional blocked in openings be removed and replaced with fenestration so as to reduce the level of non-conformity with the District fenestration requirements to the maximum extend allowed by the proposed floor plan.

Lastly, while it appears that the awnings have the appropriate clearance above the sidewalk and their overall design is compatible with the building, it is not clear if they meet the other District regulations regarding their depth and location on the building. The Staff would recommend the Applicant document that the awnings comply with all of the District regulations.

The revised plans show that the awnings above the sidewalk will be at least 8 ft. above the grade and will be 5 ft. deep. The revised plans note that the awning will be mounted within the window area they are covering.

On the Walker Street and Nelson Street facades, remove infill block from masonry openings near the corner and leave open for outdoor seating.

Notwithstanding its concerns noted above about the outdoor dining, the Staff does not have concerns about the removal of the infill block and it remaining un-enclosed space and finds that it generally meets the District regulations. However, the Staff would recommend that a compatible, permanent bulkhead at the base of the openings at the Nelson Street corner be added to the opening to create the form of a compatible storefront opening.

In the revised plans, a brick bulkhead has been added to the opening.

On the Walker Street and Nelson Street corner, remove the roof of the building and leave open for outdoor seating.

Notwithstanding its concerns noted above about the outdoor dining, the Staff does not have concerns about the removal of the roof and it remaining un-enclosed space given the size of this removal vs. the overall size of the building. If the roof removal had been a larger portion of the building so as to substantially diminish its architectural character, the Staff would not have supported the component of the project.

On the Walker Street and Nelson Street corner, install a metal sun shade near the top of the building façade.

The Staff finds that the sun shade / screen is similar to an awning and as such should meet the District requirements for awnings. Given their current design and location, the Staff would recommend the sun shade / screen either be redesigned to meet the District regulations for awnings or be removed from the proposed design.

In the revised submission, the sun shade has been revised and the Staff finds it is now similar to the metal canopies found throughout the District. Further, the Staff finds that given it is not located over a door, window or entrance feature and is flat, it should be considered a canopy vs. an awning. As a result, the Staff finds that it does not need to have the same design or shape as the awnings on the rest of the building. The revised design of the sun screen at the corner of the building meets the District regulations.

On the south façade, replace an existing roll up door with a metal storefront system and create an entry patio with a brick and metal fence / railing.

The Staff has no concerns about these components of the project, as the materials, design, and height of the fencing meet the District regulations. The replacement of the roll-up door with a storefront system is not adjacent to the sidewalk, provides access to a common hall and meets the District regulations.

On the west elevation, replace two of the three existing loading dock doors with metal storefronts and replace the third with a new roll up door.

While a new loading dock would not be permitted on the street facing façade of this building, the existing loading dock can be maintained as non-conforming characteristic. The replacement of the two other roll-up doors with a storefront system is not adjacent to the sidewalk and meets the District regulations.

On the roof top, construct a sloped roof, metal addition and outdoor seating area that is partially covered and surrounded by a metal railing.

The proposed roof top addition will be metal and it will be set behind the parapet wall. It also would appear to meet the 25% limitation, though no calculations were included in the submission to document that compliance. However, a portion of the top of the structure appears to be more than 10 ft. above the parapet wall and it does not appear to be more than 10 ft. away from the Nelson Street and Walker Street facades of the building.

The Staff would recommend that the roof top addition meet all of the District regulations.

The revised plan includes calculations as to the percentage of the habitable area, which meets the District regulation as to the size of the roof top addition. The deck railing, though, is specified as wood or metal. All materials for roof top additions visible from a public street must be metal or masonry. The Staff finds that the railing will be visible from the public street and as such must be metal. The Staff would recommend the roof top deck's railing be metal.

Other design issues

The Staff would recommend that the location and screening of the building mechanical equipment and any dumpsters shall be shown on the plans and that the locations and screening shall meet the District regulations.

No dumpsters are shown on the property. The mechanical equipment is shown in the roof top and the Staff concurs with the Applicant's conclusion that given the size of the building, it will not be visible from a public street.

The Staff would recommend that street address numbers be added to the building that meet the District regulations.

The revised plans show address numbers will be located on the proposed doors.

Staff Recommendations: Based upon the following:

- a) The proposed renovations and site work meet the District regulations, except as noted above, per Section 16-20N.006, Section 16-20N.007, and Section 16-26.003(1); and
- b) The need for a special exception to reduce the requirement for parking that can be provided on-site, per Section 16-20N.007(3).

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-14-364) for a variance to allow outdoor accessory dining within 100 feet of a residence and to reduce the tree well size from 5' x 5' to 3' x 3' at **131 Walker St.** - Property is zoned Castleberry Hill Landmark District (Subarea 1) to allow time for the Applicant to address the concerns and comments below:

1. The outdoor dining on the street level and the rooftop outdoor dining shall be enclosed, eliminated from the proposal, or shall be moved to another portion of the site that meets the distance requirement, per Section 16-26.003(1) and
2. The Applicant shall submitted any revised materials, including the required number of copies, at least 8 days prior to the Commission meeting to which this application is deferred.

Staff Recommendations: Based upon the following:

- a) The Staff's recommendation regarding the variance request (CA3-14-364); and
- b) Portions of the proposed renovations and site work meet the District regulations, except as noted above, per Section 16-20N.006, and Section 16-20N.007.

Staff recommends *approval* of an Application for a Type III Certificate of Appropriateness (CA3- 14-354) for alterations and a rooftop addition at **131 Walker St.** Property is zoned Castleberry Hill Landmark District (Subarea 1) *with the following conditions:*

1. *No eating and drinking establishments shall operate on the property until such time as all District regulations have been met for such establishments and that any other use for the property meets all of the District regulations, per Section 16-20N.007(2) and (3), and 16-20N.009(1);*
2. The Applicant shall document compliance with the compatibility rule for the size, shape, pattern, design, and material of the storefront systems, per Section 16-20N.007(1)(d);
3. *Additional blocked in openings shall be removed and replaced with fenestration so as to reduce the level of non-conformity with the District fenestration requirements to the maximum extend allowed by the proposed floor plan, per Section 16-20N.006(9);*
4. *The roof top deck's railing shall be metal, per Section 16-20N.006(11); and*
5. *The Staff review, and if appropriate approve, the final plans, documentation and supporting materials.*



KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT
November 24, 2014
REVISED
December 10, 2014
(Revised text shown in italic.)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-363) for a variance to allow outdoor accessory dining within 100 feet of a residence and to reduce the tree well size from 5' x 5' to 3' x 3' and (CA2 14 355) for alterations at 159 Walker St. - Property is zoned Castleberry Hill Landmark District (Subarea 1).

Applicant: Jerome Russell
504 Fair St.

Facts: Castleberry Hill, located in the southwest Central Business District, is an area that is significant primarily for its important collection of modest, late 19th and early 20th century commercial, warehouse, and industrial buildings. These buildings range in size from small, one- and two-story retail store fronts to large, single-tenant factories and warehouses. Since the 1980s, many of these buildings have been rehabilitated and converted to loft apartments and condominiums, studios, retail and restaurants, and art galleries.

The one-story commercial structure at 159 Walker Street is located just off of the northwest corner of Walker Street and Haynes Street, such that the south east elevation has street frontage and the east elevation faces Walker Street. The building takes up a minority of the property, which also has frontage along Nelson Street to the west. The rest of the lot is either marked surface parking or general concrete paving. To the north of the building / property is another property for which a similar application has been submitted by the same owner. The proposed project consists of the following activities:

1. Replace the sidewalk at the southeast corner of the property and along the Walker Street frontage with concrete or hexagonal pavers.
2. Install street lights along the Walker Street frontage of the property.
3. Install trees in tree wells along the Walker Street frontage of the property.
4. Remove some existing curb cuts along Walker Street and install a 20 ft. wide curb cut north of the building.
5. Install a 20 ft. wide curb cut along Nelson Street.

6. Provide landscaping with-in the re-stripped parking lot and allow for future parking between the building and Walker Street.
7. Install a dumpster and 6 ft. tall screen / wall around it along the Nelson Street frontage of the re-stripped parking lot.
8. On all elevations, repair and clean existing metal doors and windows that will be retained.
9. On all elevations, restore existing brick using gentle means.
10. On the Walker Street façade and a portion of the south facing façade, remove infill block from selected masonry openings and install metal storefront systems with metal or fabric awnings above.
11. Between the Walker Street façade and Walker Street, create an entry patio with a brick and metal fence / railing.

On November 24, 2014, the Commission deferred the applications to allow the Applicant to address the concerns noted in the Staff Report. On December 2nd, the Applicant submitted revised plans and supporting information. The Applicant further clarified that they wanted to move forward with the review of the renovations of the building and property using a use that doesn't require any off-street parking due to funding concerns related to the renovations.

Analysis: The following code sections apply to this application:

Sec. 16-20N.004. - Definitions.

For the purposes of interpreting this chapter 20N, the following definitions shall apply:

1. "District" means the Castleberry Hill Landmark District, as shown on the official zoning map adopted herewith entitled the "Castleberry Hill Landmark District."
2. "Fenestration" means the arrangement, proportion, and design of windows and doors in a building.
3. "Principal structure" means the main structure on a property, exclusive of any detached accessory structures.
4. "Public street" means publicly dedicated streets and specifically excludes alleys in the District.
5. "Additions to the roof of a principal structure" means any enclosed space that does not meet the definition set out in section 16-28.022(1).
6. "Arterial street" means main artery through neighborhood (Peters, Nelson, Walker, Whitehall, McDaniel, Spring, Mitchell and Fair streets; and Northside, M. L. King, Jr. and Centennial Olympic Park drives.)

Per Section 16-20N.005. Certificates of appropriateness.

4. Type III certificates of appropriateness shall be required for:

- (a) Construction of all new principal structures;
- (b) All major alterations and additions to an existing principal structure, including all major alterations and additions to the roofs of principal structures.

Per Section 16-20N.006. General Regulations.

The following general regulations shall apply to all properties located within the District.

1. In the District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20N do not specifically address the application or any portion of the application:
 - (a) The historic character of a property shall be retained and preserved.
 - (b) The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historic development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.

- (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
 - (k) Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20L.007 or section 16-20L.008, as applicable.
 - (l) The height of a structure shall be measured on the façade facing the public street and measurement shall be taken from the highest point of such grade to the top of the parapet wall.
2. Compatibility rule.
- (a) To permit flexibility, some regulations are made subject to the compatibility rule, which states: "Where not quantifiable, the element in question (roof form, architectural trim, fenestration, etc.) shall match that which predominates on the contributing buildings on that block face. Where quantifiable, the element in question (i.e., building height and width, floor height, etc.), shall be no smaller than the smallest or larger than the largest such dimensions of the contributing buildings on that block face.
 - (b) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
3. Variances, special exceptions, and appeals. Variance applications, applications for special exceptions, and appeals from these regulations shall be heard by the commission. The commission shall have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, and criteria for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16. The commission shall have the authority to grant or deny applications for special exceptions pursuant to the standards in chapter 25. The commission shall have the authority to grant or deny applications for appeal pursuant to the standards in section 16-30.010 and the appeal provisions for said decision, set forth in section 16-30.010(e), shall also apply to the commission's decision.
8. Off-street and off-site parking.
- a) All new construction, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential uses, or any change in use shall include the required off-street parking.
 - b) The number of required off-street parking spaces is set out in each subarea.
 - (c) Off-street or off-site parking located adjacent to public streets or sidewalks shall include landscape buffer strips along the public street or sidewalk. Landscape buffer strips shall be: a minimum of three feet in width, planted with a mixture of evergreen groundcover or shrubs a minimum of three gallons at time of planting with a maximum mature height of 30 inches; and planted with canopy street trees that are a minimum of 3.5 inch caliper measured 36 inches above ground and a minimum of 12 feet in height at time of planting placed no further than 25 feet on center. All landscape buffer strips shall be maintained in a sightly manner.
 - (c) Use of shared driveways and/or alleys is encouraged. Required driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the commission.
 - (e) Curb cuts and driveways are not permitted on any arterial street when reasonable access may be provided from a side or rear street or from an alley.
 - (f) The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - (g) No circular drives shall be located between any principal building and any public street.
 - (h) One curb cut is permitted for each development. Developments with more than one public street frontage or more than 300 feet of public street frontage may have two curb cuts.
9. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:
- (c) All street-fronting sidewalk level development shall provide fenestration for a minimum of 60 percent of the length of the frontage, beginning at a point not more than three (3) feet above the public sidewalk, for a height no less than nine (9) feet above the sidewalk.
 - (d) Sidewalk level development without fenestration shall not exceed a maximum length of ten (10) feet of façade.
 - (f) Relationship of building to street.

- i. The first eight (8) feet of all building levels that have sidewalk level arterial street frontage shall have a commercial, office, or residential use and shall not be used for parking or storage.
- ii. The primary pedestrian entrance to all uses and business establishments with sidewalk level street frontage shall:
 - a. Be visible from the street.
 - b. Be directly accessible, visible, and adjacent to the sidewalk, pedestrian plaza, courtyard, or outdoor dining area adjacent to such street.
 - c. Face and be visible to an arterial street when located adjacent to such arterial streets.
- iii. A street address number shall be located above the principal building entrance, shall be clearly visible from the sidewalk, shall contrast with their background, and shall be a minimum of four inches in height with a minimum stroke of 0.5 inch.
- (g) Façade Materials. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the façades of the principle structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Aluminum siding and vinyl siding are not permitted on any facade.
- (h) Awnings and canopies.
 - iii. Awnings and canopies must have a minimum clearance of eight feet above the sidewalk level, and shall not encroach more than five feet over the public sidewalk.
 - iv. Installation of new canopies, where none previously existed, shall be permitted only if they are compatible with the original structure.
 - v. New awning frames attached to storefronts, doors or windows shall replicate the shape of the covered area and fit within that area.
 - vi. New awnings shall be attached to the area above the display and transom windows and below the cornice and signboard area, or attached to the storefront display window and the transom window.
 - vii. Multiple awnings on a single building shall be similar in shape and configuration.
 - viii. Only that portion of the awning used for signage shall be illuminated.
- 13. Fences, walls, and retaining walls.
 - (a) Fences shall be no more than ten feet high.
 - (b) Fences between the principal building and the public street shall be constructed of metal, brick, stone, ornamental iron or metal, or architectural masonry.
 - (c) Fences to the rear or side of the principal building shall be constructed of metal, brick stone, ornamental iron or metal, architectural masonry, chain link, or wood.
 - (d) Walls shall not be permitted between the principal building and the public street. Walls shall be no more than ten feet high. Walls, including retaining walls, shall be constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco.
 - (e) Retaining walls adjacent to a public street or sidewalk shall not exceed four feet in height, unless required by existing site topography.
 - (f) Adjacent to a public street or sidewalk, the total height of any combination of fencing, wall and/or retaining wall shall not exceed ten feet.

Section 16-20N.007 - Specific Regulations for Historic Core, Subarea 1.

In the Castleberry Hill Historic Core, Subarea 1, the commission shall apply the standards referenced in section 16-20N.006(1) only if the standards set forth in section 16-20N.007 do not specifically address the application or any portion thereof:

- 1. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:
 - (a) The compatibility rule shall apply to the general façade organization, proportion, scale, and roof form of the principal structure.
 - (b) The height of a principal structure shall be forty (40) feet. Properties with first floor retail space exceeding twelve (12) feet in height shall have a ten percent (10%) height bonus, allowing for a maximum height not to exceed forty-four (44) feet. With the exception of properties north and east of Mangum Street that front Nelson Street, which shall have a ten (10) foot height bonus, allowing for a maximum height not to exceed fifty (50) feet.
 - (c) All building elements shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements, including but not limited to their: design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - (d) Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - a. The style and material of the individual window or door.

- b. The size and shape of individual window and door openings.
 - c. The overall pattern of fenestration as it relates to the building façade.
 - d. The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - iv. Subject to the compatibility rule, glass block may be used for door surrounds and transoms.
- (e) Facades.
- i. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the façades of the principal structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any facade.
 - ii. Covering of the original façade shall not be permitted.
 - iii. Painting of unpainted stone, terra cotta, and brick is prohibited.
 - iv. All cleaning of stone, terra cotta, and brick shall be done with low-pressure water and mild detergents.
 - v. All repairs to original mortar shall be compatible with the existing mortar material in strength, composition, color and texture. Original mortar joints shall be duplicated in width and in joint profile.
- (f) Lighting and storefront illumination.
- i. Security, decorative, and other lighting shall minimize light spillage by providing cutoff luminaries that have a maximum 90-degree illumination. The commission may also require other elements to reduce light spillage.
 - ii. Any security, decorative, or other lighting luminaries shall be located a minimum height of eight (8) feet above the sidewalk, drive, or pedestrian area.
- (g) Loading areas, loading dock entrances, and building mechanical and accessory features.
- i. Commercial dumpsters shall not be visible from any public street. Residential dumpsters shall not be visible from: Walker Street, Nelson Street, or Peters Street. Notwithstanding the visibility requirements noted above, all dumpsters shall be concealed with walls six feet in height and constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco.
 - ii. Loading docks and loading areas shall not be permitted on the primary façade of a principal building.
 - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
 - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible from any public street.
 - v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
- (i) Sidewalk regulations.
- i. Hexagonal sidewalk pavers shall be retained.
 - ii. Hexagonal sidewalk pavers or hexagonally stamped concrete shall be used for any new sidewalks or replacement sidewalks on the public streets.
 - iii. Any new or replacement curbing shall be granite.
 - iv. New sidewalks shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be a minimum of seven feet wide and a maximum of 15 feet wide.
 - v. Street furniture: Street furniture to include, but is not limited to: street lights, seating, newspaper vending boxes, trash receptacles, official city and neighborhood signage, trees and shrubs and flower pots.
 - vi. Outdoor seating: Seating areas should be specifically defined and located as to not obstruct pedestrian access or motorist visibility.
 - vii. Umbrellas: Must have a minimum clearance of seven feet above the sidewalk level and located as to not obstruct pedestrian access or motorist visibility.
 - viii. Newspaper vending boxes: Should be located as to not obstruct pedestrian access or motorist visibility.
 - ix. Tree planting: When installed, all newly planted trees shall be a minimum of four inch caliper measured 36 inches above ground, and a minimum of ten feet in height. Trees shall be drought tolerant, limbed up to a minimum seven-foot height, and shall have a maximum mature height of 40 feet. Trees shall have a minimum planting area of 25 square feet. All plantings, planting replacement, and planting removal must be approved by

the city arborist. The planting area shall be planted with evergreen ground cover such as mondo grass or liriope spicata.

- x. Trash receptacles: Where installed, trash receptacles shall be a Victor Stanley Model S-42 or similar looking standard.
 - xi. Decorative pedestrian lights, where installed, shall be placed a maximum of 40 feet on center and spaced equal distance between any street trees along all streets. All said lights shall be Atlanta Type "C" as approved by the planning bureau.
2. Permitted principal uses and structures: A building or premises shall be used only for the following principle purposes:
- (a) Multi-family dwellings, two-family dwellings, and single-family dwellings.
 - (b) Residential and nonresidential uses, as otherwise allowed below, on the same site, in which both of such uses are at least 20 percent of the total floor area, excluding accessory uses.
 - a. Any of the following uses provided they do not exceed 2,000 square feet of floor area:
 - i. Retail establishments, including delicatessens, bakeries and catering establishments.
 - ii. Specialty shops such as antique stores, gift shops, boutiques, art and craft stores, and apothecary shops.
 - iii. Barber shops, beauty shops, and similar personal service establishments.
 - iv. Tailoring, custom dressmaking, millinery, and similar establishments.
 - v. Repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks, and similar devices.
 - b. Any of the following uses provided they do not exceed 5,000 square feet of public areas:
 - i. Eating and drinking establishments.
 - ii. Museums, galleries, auditoriums, libraries, and similar cultural facilities.
 - iii. Professional or service establishments, but not hiring halls.
 - (g) Offices, studios and similar uses provided that no such individual business establishment shall exceed 15,000 square feet of floor area.
3. Off-Street Parking Requirements
- (a) Off-street parking shall not be permitted between the principal building and the public street.
 - (b) Off-street parking may be located in a rear or side yard.
 - (c) All dwellings: Off-street parking requirements shall be as follows: See section 16-08.007, Table I, for applicable ratios according to the appropriate floor area ratio.
 - (d) Eating and drinking establishments: One space for each 100 square feet of floor area. Where an eating and drinking establishment derives more than 60 percent of its gross income from the sale of malt beverages, wine and/or distilled spirits, it shall be required to have one space for each 75 square feet of floor area. Floor area shall include, in addition to those areas defined in section 16-29.001(13)(b), areas within the existing building footprint where walls have been removed and a permanent roof remains.
 - (e) All other uses: No off-street parking is required.

Sec. 16-20N.009. - Additional use regulations.

In addition to the regulations governing permitted uses set forth in this Chapter, or elsewhere in this Code the following regulations shall apply to permitted uses in this district:

1. Eating and drinking establishments. The following supplemental regulations shall apply in Subarea 1 and Subarea 2:
- i. No eating and drinking establishment with an alcohol license may be located within 250 feet of another eating and drinking establishment with an alcohol license, including an establishment located outside of the Castleberry Hill Landmark District.
 - (b) Notwithstanding the location of any other premises with an alcohol license, an eating and drinking establishment where sales of alcoholic beverages by the drink constitute less than 50 percent of gross sales may be located within a mixed-use development greater than 10,000 square feet provided that all of the licensed establishments located in such mixed-use development constitute in the aggregate no more than 25 percent of the total square footage of nonresidential floor area in such mixed-use development.
 - (c) Accessory outdoor dining area to any eating and drinking establishment which is otherwise permitted by these regulations may not be located within 100 feet of any dwelling except those located in the same structure;
2. Specifically prohibited uses. Without regard to whether such uses are allowed as a permitted use in other zoning districts under the list of permitted uses allowed in this district, the following uses are prohibited either as primary or accessory uses:
- (a) Cinema/movie theatre;
 - (b) Bowling alley;
 - (c) Skating rink;
 - a. Video game room, amusement gallery or amusement arcade;

- b. Pool hall;
 - c. Massage parlor or facility;
 - (h) Tattooing and/or piercing;
 - (i) Adult businesses as defined in section 16-29.001(3);
 - (j) Package stores;
 - (k) Bottle houses;
 - (l) Any establishment which provides "pawn transactions" as defined in O.C.G.A. § 44-12-130 as it exists now or as it may be amended;
 - (m) Offering check cashing services pursuant to a license issued pursuant to Article 4A of Chapter 7 of the Official Code of Georgia;
 - (m) Any institution except for banks, trust companies, credit unions, business development corporations, building and loan associations, mortgage lenders and mortgage brokers, which offer to loan money to the public. This provision shall not act to prevent the credit sale of goods by any business establishment.
3. Hours of operation. No business establishment is permitted to operate except during the following hours:
- (a) Sunday—Thursday: 6:00 a.m. to 12:00 a.m.
 - (b) Friday and Saturday: 6:00 a.m. to 1:00 a.m.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Variance Analysis

The Applicant provided a variance analysis for the request for outdoor dining within 100 ft. of a residence and a reduction in the size of the tree wells.

Regarding the tree wells, the Staff does not agree with the Applicant's conclusions, which are based on making the tree wells the same size as those proposed along the frontage of the adjacent property to the north. The desire for conformity of the tree wells does not meet the variance criteria. Further, given the ability to widen the sidewalk for this property, the tree wells can be the required size and the width of the sidewalk can still meet the District regulations. Lastly, the Staff would note that the tree spacing and type can still be consistent with the proposed trees on the other portion of the block.

The Staff would recommend denial of this portion of the variance request and that the tree wells shall be the size required by the District regulations.

Regarding the outdoor dining variance, the Staff only partially agrees with the Applicant's analysis. It does agree that putting the outdoor dining at the "rear of the property" (assuming it would meet the distance requirement) could not be an ideal place, depending in where at the rear of the property it is located. It is also not clear, how the size of this lot and the size of other lots, is extraordinary or exceptional, as noted by the Applicant. The Staff also doesn't agree that having the outdoor dining in a "front visible location along the pedestrian route" would not cause a detriment to the public good as the District regulation for the distance from a residence is specifically trying to avoid detrimental effects to the public good. The Applicant has not described any mitigating factors that make this situation unusual or un-anticipated by the District regulations.

Further, the Staff is not aware of a significant hardship suffered by the several successful eating and drinking establishments in the District that do not have outdoor dining space. The Staff finds that an outdoor dining space allows for additional patrons to be served without having a larger building with enclosed spaces. In this case, the Applicant could add to the building to more indoor dining locations.

Taking all of that into account, the Staff does find that it is possible to have some outdoor dining which would reduce or eliminate the concerns noted above and at the same time achieve some of the apparent goals of the project. The Staff would recommend that the outdoor dining be enclosed in an addition, eliminated from the proposal, or moved to another portion of the site that meets the distance requirement.

The Applicant has provided revised arguments for the request for outdoor dining. However the outdoor dining is related to a use, an eating and drinking establishment, that otherwise requires on-site parking. The on-site parking requirements can't be met at this time for the proposed eating and drinking establishment, so the Applicant has submitted a special exception amendment to their variance request to reduce the amount of on-site parking. This request was not received in time to properly advertise the request for the December 10th Commission meeting. As such, the Staff would retain its recommendation for deferral of the variance request so that the special exception for the parking reduction can be added to the variance application.

Uses, General Development Controls, and Parking

The specific uses are not listed in the submission and the survey and the proposed floor plan do not specify a square footage for the building. The Staff would recommend the Applicant clarify the proposed uses for the building, that each use is allowed within this subarea of the District, and that each proposed use meets the square footage limitation and if applicable the distance requirements for that use. The Staff would further recommend the Applicant clarify the hours of operation of all the proposed uses.

The uses and hours of operation have been specified on the plans.

Further, it would appear that based on the request for outdoor seating, at least one of the proposed uses is for an eating and drinking establishment. The District regulations require on-site parking for eating and drinking establishments, but the submission does not include any indication of such parking being provided. The Staff would recommend the Applicant document that no eating and drinking establishments will be located on the property or that adequate on-site parking is provided for any such uses that are located on the property.

As noted above, the proposed use is an eating and drinking establishment. At this time, the on-site parking demands of an eating and drinking establishment can't be met by the project. The Staff would recommend that no eating and drinking establishments operate on the property until such time as all District regulations have been met for such establishments and that any other use for the property meets all of the District regulations.

Design Components

Replace the sidewalk at the southeast corner of the property and along the Walker Street frontage with concrete or hexagonal pavers.

While the use of stamped or real hexagonal pavers for replacement sidewalks meets the District regulations, it is not clear if there are any existing hexagonal pavers to be retained and repaired as required by the District regulations. The Staff would recommend that the Applicant clarify the condition and materials of the existing sidewalk and if the existing sidewalks are hexagonal pavers, that they are retained.

The revised plans note that the existing sidewalk is plain concrete. As such, the proposed replacement sidewalk meets the District regulations.

The sidewalk also appears to be getting slightly wider than it currently exists. The approximately 10 ft. wide sidewalk would meet the District regulations.

Install street lights along the Walker Street frontage of the property.

It appears that the street lamps will be a decorative pedestrian light and as such subject to the District regulations. The design and placement of the lights meets the District regulations.

Install trees in tree wells along the Walker Street frontage of the property.

Given the Staff's recommendation regarding the variance, the Staff has no concerns about the creation of the tree wells or their placement along Walker Street. The Staff would recommend the trees meet the District regulations.

The revised plans note the trees and tree well plantings will meet the District regulations.

Remove some existing curb cuts along Walker Street and install a 20 ft. wide curb cut north of the building.

Install a 20 ft. wide curb cut along Nelson Street.

The District regulations limit the number of curb cuts for a given property and their location, but not the size of the curb cut. Curb cuts and driveways are not permitted on any arterial street (such as Walker Street) when reasonable access may be provided from a side or rear street (such as Haynes Street) or from an alley. Further, one curb cut is permitted for each development, though developments with more than one public street frontage or more than 300 feet of public street frontage may have two curb cuts.

While the Staff acknowledges that the project will remove two curb cuts from Walker Street, which is a positive design development, installing a new curb cut on that frontage is not permitted when there is very reasonable access from Haynes Street. Even though Nelson Street is considered an arterial street as well, the property is allowed to have two curb cuts given that it has more than one frontage. The Staff finds that having the second curb cut along Nelson Street is more compatible with the District regulations than having it along Walker Street, which the Staff considers to be one of the main corridors in the District. The positioning of the two curb cuts on Haynes Street and Nelson Street allows the property to have the number of curb cuts permitted by the District regulations.

The Staff would recommend that the existing curb cuts on Walker Street are eliminated and the proposed curb cut on Walker Street be moved to Haynes Street.

The revised submission included three options for the parking lot curb cuts. Given the Staff's analysis above, the Staff would recommend Option C is used for the parking lot curb cut configuration.

Provide landscaping with-in the re-stripped parking lot and allow for future parking between the building and Walker Street.

While the Staff does not have any concerns about the restriping of the existing parking lot, it is not clear if the 3 ft. landscape strip that will be added along the street frontage of it fully meets the District regulations, given the requirements for certain size plantings. The Staff would recommend the plans specify that the planting strip around the re-stripped parking lot will meet the District regulations.

The revised plans indicate that the landscape planting strip around the re-stripped parking lot will meet the District regulations.

The Staff is also concerned about the provision for the two parking spaces between the building and Walker Street. In Subarea 1 parking is not permitted between the building and the street. Given that this area is not currently stripped or marked as actual parking spaces, that Staff finds that creating such spaces in the future would constitute the creation of parking between the building the street. The Staff would recommend that no parking spaces be created between the building and Walker Street.

In the revised submission, Option C eliminates the proposed parking between the building and Walker Street. The Staff would recommend the Option C be used for the parking configuration for the property.

Install a dumpster and 6 ft. tall screen / wall around it along the Nelson Street frontage of the re-stripped parking lot.

The District regulations require that commercial dumpsters not be visible from any public street. In addition, the District regulations require that all dumpsters shall be concealed with walls six feet in height and constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco. The Staff finds that the proposed dumpster meets the District regulations. The Staff would suggest, however, that the Applicant consider other locations for the dumpster other than immediately adjacent to Nelson Street frontage or any other street frontage.

The dumpster location and screening remains unchanged in all three parking lot configuration options presented in the revised plans. The Staff would retain its previous conclusion and suggestion.

On all elevations, repair and clean existing metal doors and windows that will be retained.

On all elevations, restore existing brick using gentle means.

The Staff would recommend that the cleaning and repair work meet all the District regulations.

The revised plans note that all the cleaning and repair work on the masonry will meet the District regulations.

On the Walker Street and Nelson Street facades, remove infill block from selected masonry openings and install metal storefront systems with metal or fabric awnings above.

The Staff has no concerns about the removal of the infill block. Further, given that no action is proposed along the Haynes Street side of the building, the Staff finds that there is no requirement to meet the percentage of fenestration requirement for that façade.

The design of the storefront systems is based on the compatibility rule. The Staff would recommend the Applicant document compliance with the compatibility rule for the size, shape, pattern, design, and material of the storefront systems.

The compatibility rule requires comparison to contributing buildings or components thereof on the same block face as the subject property. Both buildings on the block are considered contributing to the District and as such should be the points of comparison. However, the Staff finds that given the storefront openings in both buildings have been substantially altered and are not original or historic to the building and in turn will be altered further by the subject and companion applications, another block face should be used for comparison. The Staff further finds that the facing block face, given its integrity and proximity to the subject block face would be the most appropriate point of comparison. The examples provided by the Applicant are not appropriate given that they are not storefront openings and are on the facing block face. The Staff would retain its previous recommendation.

Lastly, while it appears that the awnings have the appropriate clearance above the sidewalk and their overall design is compatible with the building, it is not clear if they meet the other District regulations regarding their depth and location on the building. The Staff would recommend the Applicant document that the awnings comply with all of the District regulations.

The revised plans show that the awning will be slightly less than 8 ft. above the grade and will be 6 ft. deep. The revised plans note that the awning will be mounted within the window area they are covering.

Between the Walker Street façade and Walker Street, create an entry patio with a brick and metal fence / railing.

The Staff has no concerns about these components of the project, as the materials, design, and height of the fencing and patio meet the District regulations.

Other design issues

The Staff would recommend that the location and screening of the building mechanical equipment and any dumpsters shall be shown on the plans and that the locations and screening shall meet the District regulations.

Although the mechanical equipment is shown in the roof top, the screening is not described or shown on the elevations. The Staff would retain its previous recommendation.

The Staff would recommend that street address numbers be added to the building that meet the District regulations.

The revised plans show address numbers will be located on the proposed door to the building.

Staff Recommendations: Based upon the following:

- a) The proposed renovations and site work meet the District regulations, except as noted above, per Section 16-20N.006, Section 16-20N.007, and Section 16-26.003(1); and
- b) *The need for a special exception to reduce the requirement for parking that can be provided on-site, per Section 16-20N.007(3).*

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-14-363) for a variance to allow outdoor accessory dining within 100 feet of a residence and to reduce the tree well size from 5' x 5' to 3' x 3' at **159 Walker St.** - Property is zoned Castleberry Hill Landmark District (Subarea 1) to allow time for the Applicant to address the concerns and comments below:

1. The tree wells shall be the size required by the District regulations, per Section 16-20N.007(1)(i)(ix);
2. The outdoor dining on the street level and the rooftop outdoor dining shall be enclosed in an addition, eliminated from the proposal, or shall be moved to another portion of the site that meets the distance requirement, per Section 16-26.003(1) and
3. The Applicant shall submitted any revised materials, including the required number of copies, at least 8 days prior to the Commission meeting to which this application is deferred.

Staff Recommendations: Based upon the following:

- a) The Staff's recommendation regarding the variance request (CA3-14-364); and
- b) Portions of the proposed renovations and site work meet the District regulations, except as noted above, per Section 16-20N.006, and Section 16-20N.007.

Staff recommends *approval* of an Application for a Type II Certificate of Appropriateness (CA3-14-355) for alterations 159 Walker St. Property is zoned Castleberry Hill Landmark District (Subarea 1) *with the following conditions:*

1. *No eating and drinking establishments shall operate on the property until such time as all District regulations have been met for such establishments and that any other use for the property meets all of the District regulations, per Section 16-20N.007(2) and (3), and 16-20N.009(1);*
2. *Option C be used for the parking lot curb cut and parking lot configuration, per Section 16-20N.006(8) and 16-20N.007(3)(a);*
3. The Applicant shall document compliance with the compatibility rule for the size, shape, pattern, design, and material of the storefront systems, per Section 16-20N.007(1)(d);
4. The location and screening of the building mechanical equipment shall be shown on the plans and that the locations and screening shall meet the District regulations, per Section 16-20N.007(1)(g);
5. *The Staff review, and if appropriate approve, the final plans, documentation and supporting materials.*



CITY OF ATLANTA

M. KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

November 24, 2014

Updated

December 10, 2014

(updated information in italics)

Agenda Item: Application for a Review and Comment (RC-14-356) for site work at **140 West Wieuca Road (Chastain Park)** – Property is zoned R-3.

Applicant: Larry Bennett
PO Box 420486

Facts: Chastain Park is located in the East Chastain Park neighborhood in NPU B. In 2008, the Commission commented on a reviewed and comment application (RC-08-031) on a master plan for Chastain Memorial Park. On October 15, 2014 the Commission commented on (RC-14-316) on additions and alterations at Chastain Park.

At the November 24th meeting, this application was deferred to allow the Applicant time to address the concerns of the Staff and the Commission.

Analysis: The following code sections apply to this application:
Per section 6-4043 of the Atlanta City Code, as amended:

(4) The Commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation of significant change, alteration or addition to any existing park.

Per Section 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

In this part of Chastain Park there are four existing athletic fields, a gymnasium, a ball park pavilion and a parking area. The Applicant is proposing to expand the existing parking area. In looking at an aerial picture submitted, there appears to be three parking areas. The site plans submitted do not provide any context for the parking areas as they relate to the ball fields and the existing building. Staff suggests the Applicant provide a site plan that indicates the expanded parking, the ball fields and the existing building.

In response to Staff comments, the Applicant submitted an updated aerial with notes regarding where the parking will be expanded. Given the size of the park, the issue is the site plan does not provide a larger context of where the parking area is as it relates to other amenities. The Commission has reviewed several applications regarding changes to the park, most recently there was a review of a large accessory structure. Having a site plan that shows how the parking area relates to the various athletic fields and other nearby amenities would be helpful.

In looking at the notes on the site plan, the existing parking at the ball field allows for 57 spaces. The proposed expansion and re-striping will create 77 spaces for a total of 134 parking spaces. The parking at the Wieuca entrance allows for 10 spaces. The proposed expansion and re-striping will create 6 additional spaces for a total of 16 spaces. In general, Staff finds this area of the park is congested with traffic and parking is often an issue. Given Staff's previous reviews of the master plan, the ball fields and the ball park pavilion, Staff finds that more people will use the park and create additional traffic and parking issues. As such, Staff finds the expansion of the parking is necessary and appropriate.

The Applicant is proposing to adjust the location and design of the entrance in order to provide traffic controls and increase the safety for pedestrians and vehicles. While Staff is generally supportive of that idea, it is not clear from the site plan how that will be accomplished. Staff suggests the Applicant clarify how the location and design of the entrance is going to change. Staff further suggests the Applicant clarify how the changes to the entrance will increase pedestrian and vehicle safety. The Applicant is proposing to add a chain link fence and golf ball barrier. Staff has no concerns regarding the proposed chain link fence or golf barrier.

In the narrative submitted, the Applicant provided additional information regarding how the location and design of the entrance is proposed to change. The Applicant also provided information regarding how the changes will increase pedestrian and vehicle safety. Staff has no concerns regarding the proposed changes to the location and design of the entrance.

As part of the project, several trees are being removed. The Applicant indicates coordination with the Parks Department in regarding to tree recompense and the planting of additional trees. In looking at the tree recompense and landscape plans, it appears 54 trees requiring recompense will be removed for a total of 727 inches. Staff would note that a minimum of 727 inches must be replanted to meet the requirements. Schedule "A" indicates the planting of 32 trees for a total of 128 inches. The plans indicate a note for a Schedule "B" chart that is not actually shown on the plans. Staff suggests the Applicant provide additional information regarding the schedule "B" plantings. Staff suggests no less than 727 inches are planted. Staff suggests the Applicant consider planting appropriately diverse trees that will provide shade.

In the updated submittal, a planting list for schedule "B" is included.

In speaking with the Arborist Department in the Office of Buildings, Staff has concerns regarding the proposed trees for the parking lot. As the number of parking spaces has more than doubled, Staff finds the requirements of Ordinance 158-30 may apply. Specifically, there are requirements for one tree planting per eight parking spaces, 10% interior green space and 5' green space strip. Trees in parking lots often do not grow properly due to the lack of appropriate space. Staff wants to ensure that the tree plantings in the parking lot allow for enough space for the trees to actually grow. Staff suggests the Applicant contact the Office of Buildings Arborist Department to confirm whether Ordinance 158-30 applies to the project and to make sure all of the requirements are met.

In speaking with the Office of Buildings Arborist Department, the Parks Arborist is responsible for ensuring the plans meet the requirements. According to the Applicant the plans have already been approved by the Parks Arborist department. Given the approval of the plan by the Parks Arborist, Staff has no further concerns regarding the landscape issues.

Staff recommends the Commission deliver its comments at the meeting.

